

T H E
H I S T O R Y
O F T H E
State and Sufferings
O F T H E
Church of SCOTLAND,
F R O M T H E
R E S T O R A T I O N
T O T H E
R E V O L U T I O N.

With an INTRODUCTION, containing the most remarkable OCCURRENCES relating to that CHURCH, from the REFORMATION to the RESTORATION.

The SECOND EDITION corrected, with ADDITIONS.

By WILLIAM CROOKSHANK, A. M. Minister of the Scots Congregation in *Swallow-Street, Westminster.*

In TWO VOLUMES.

VOL. I.

EDINBURGH,
Printed for *Andrew Stevenson* Writer, and sold by him at his House in the first Story of *Muscher's Land*, East-Side of the *Corn-Market* of *Edinburgh.* MDCCLI.

THE HISTORY OF

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TO the RIGHT HONOURABLE
ALEXANDER
EARL of LEVEN.

MY LORD,
I ESTEEM it no small honour to have your LORDSHIP'S countenance in the design of the following performance, and permission to put the same under your patronage. I wish it had been in my power to render it more worthy of your approbation and acceptance: But as your LORDSHIP is able to spy out the failings in this work, so I doubt not of your candour to throw a veil over them.

Had I been capable to present the world with a most exact, impartial and perfect history of the CHURCH of SCOTLAND during this period, I know none who had a juster claim to have it dedicated to them than your LORDSHIP; for the great actions and sufferings of your worthy progenitors, on account of the protestant religion and liberties of mankind, are well known.

Sir Alexander Lesly, from whom your LORDSHIP is descended in the maternal line, gained so much honour abroad, that the great Gustavus Adolphus, king of Sweden, promoted him first to be lieutenant-general, and then feldt-marshal of his armies. And when the emperor had reduced

ced all Germany except Stralsund, which was then invested by count Walstein with a formidable and victorious army, general Lesly, to whom that heroick prince gave the command of the place, obliged him to raise the siege 1628. and, in the year 1630. drove the imperialists out of the isle of Rugen, and thereby opened a way for Gustavus to march into Germany.

Having gained such laurels abroad, he returned to his native country, and was chosen general of the Scots army, which was raised in defence of the covenanters and the liberties of his country; and in 1641. was created earl of LEVEN. His lordship performed many signal services after this, too tedious to be related here. This nobleman's grandson dying without male issue, and his grand-daughter marrying George earl of Melvil, the honours and estate of Leven came, in process of time, to David Melvil Esq; your LORDSHIP's father.

And nothing is better known, than that the family of MELVIL, from which your LORDSHIP is lineally descended, has been remarkable, ever since the dawn of the reformation, for an uninterrupted and steddy adherence to that glorious cause.

Your LORDSHIP's grandfather, the said George lord Melvil, suffered not a little in the infamous period described in the following work, so that he was obliged to flee over to Holland for safety. But that great judge of men and things, the illustrious prince of Orange had such a value
for



DEDICATION. v

for him, that, after the glorious revolution, he appointed him to be his high commissioner to the parliament 1690. in which the confession of faith was ratified, presbyterian government established, patronages were abolished, and the church of Scotland restored to the freedom of all her judicatories. This noble peer enjoyed many other high offices under the crown; he was not only made an earl, but was successively sole secretary of state for Scotland, lord privy-seal and president of the privy-council.

His son David, your noble father, did great service in the happy deliverance brought about, under God, by the great king WILLIAM; for, when he was abroad, he raised a regiment of foot, and brought it over with that illustrious prince. He likewise commanded those brave people who guarded the convention of estates, which was an assembly of patriots, whose names will ever be dear to true protestants. During all the reign of king WILLIAM, and a great part of queen ANNE's, his lordship was governor of the castle of Edinburgh; and held likewise, under that princess, the offices of general of the ordnance for Scotland, and commander in chief of all the forces in that kingdom, till, towards the end of her reign, he was, by the influence of her Tory ministry, removed from all publick employments: But his lordship persevered in a steady attachment to the interests of the present royal family, from the act of settlement 1701. to the day of his death.

As

As your LORDSHIP is thus descended from a race of patriots, who were always firm to the protestant cause, so it is well known that you, MY LORD, maintain the same principles, and adhere to the same interest; so that, as your noble grandfather was king WILLIAM's high commissioner to that brave parliament who restored the church and kingdom of Scotland to their religious and civil privileges, so your LORDSHIP has had the honour to represent the royal person of his present majesty king GEORGE II. in the general assemblies of that church, ever since the year 1741. and to partake of several other marks of the royal favour; such is the confidence his majesty places in your LORDSHIP, and such the assurance he has of your loyalty to his royal person and government, attachment to the protestant religion, and hearty affection to the church of Scotland. That GOD Almighty may bless and long preserve your LORDSHIP and excellent LADY, and make your family always patrons of religion and liberty, according to the example of your noble progenitors, is the sincere desire of, My LORD,

Your LORDSHIP's

most humble,

most obedient, and

much obliged servant,

WILL. CROOKSHANK.

T H E P R E F A C E.

THE design of the following work is to give the history of the sufferings of the church of *Scotland* during the reigns of the ROYAL BROTHERS, — to preserve the memory of the sufferers, and shew the cause of their sufferings, — to shew us what we have to expect, should ever any of the pretended race of the STUARTS fill the *British* throne, — and, if possible, to convince us of the unspeakable obligations a good and gracious God has laid us under, in delivering these nations from the tyranny of their oppressors.

It is but a general and imperfect account that is given of the sufferings of the church of *Scotland* in this period by the *English* historians; for they had neither proper informations nor materials. The reverend Mr. *Robert Wodrow*, minister at *Eastwood*, is the only person who has given a large account of these things in his excellent history; but, as that work is contained in two large volumes in folio, so there are but few that have either time to peruse it, or can afford to purchase it; and, since the reducing such a performance into a more narrow compass was thought proper, for making the history of this period more universally known, I was prevailed with, by many of my friends, to undertake the difficult task.

The worthy historian, just now mentioned, had excellent materials for his performance, having in his hands the records of the nation, besides original papers and well attested narratives from those who were immediately concerned, or were present at the facts he has recorded; and many gentlemen and ministers, related to the sufferers, favoured him with well attested accounts of the sufferings of particular persons, as his preface sufficiently declares: So that it is easy to see what labour and pains he must have been at in composing a work from such a multitude of papers he had to peruse, there being no historian before him from whom he could have much assistance. As this, I think, is a sufficient excuse for the voluminousness of his history, so it shews the expediency of this undertaking.

The account that is here given is indeed tragical, for it is the history of a most cruel and bloody persecution, and opens

a scene that may justly fill us with horror. The laws against the sufferers were written in blood, and executed by a military force. All methods of cruelty were made use of by a *prelatical* faction, who not only invaded the properties of the subject, but even the prerogatives of the mediator as the only head of the church. Many were exorbitantly fined, unjustly imprisoned, oppressed by soldiers, plundered by dragoons and a lawless *Highland host*. Multitudes were forced to wander about in dens and caves of the earth. Not a few were tortured by boots, thumbkins, fire-matches, &c. Some were beheaded, others were hanged and quartered; women, as well as men, suffered death; some of them were hanged, and others drowned; prisons were crowded, and ships were loaded with prisoners, who were banished from their native country, of whom many perished, &c. &c. &c.

But what had they done? Were they murderers of fathers or murderers of mothers? Were they thieves or robbers? Quite the reverse; for they were pious and religious persons. Their enemies indeed have pretended that it was not so much for religion as rebellion that they suffered. Accordingly Sir George MacKenzie, in his *Vindication of the reign of king CHARLES II.* has the assurance to say, p. 17. 'That there did not die, upon any publick account, twelve in all that reign; and that not one died for any principle of religion, unless it be thought a religious principle to die for actual rebellion;' and elsewhere, p. 8. 'That no man in Scotland ever suffered for his religion;' than which nothing can be more false; and the following history will sufficiently refute the many lies and malicious misrepresentations in the advocate's *Vindication*, and clearly shew, that whatever steps the sufferers took were the effect of unparallelled cruelty and unsupportable oppression. It is well known, that, though no people could be more attached to any prince, than the Scots PRESBYTERIANS were to king CHARLES II. and no prince was ever under greater obligations to protect any subjects, and maintain them in the inviolable possession of their religious and civil liberties, than Charles was to protect them; yet he was no sooner restored, but he and his wicked ministry proclaimed to all the world their horrid dissimulation, ingratitude and perjury. For, notwithstanding the covenanted ties which lay upon the king and all the nation, they overturned the *presbyterian* settlement, which all, with uplifted hands, had sworn to maintain, established *prelacy*, which, with the greatest solemnity, they had sworn to extirpate, and obliged all to make a declaration against the COVENANTS, and persecuted those who could

could not comply; so that *presbyterians* were counted rebels, because they could not *perjure themselves*, according to the example of the king and his ministers, nor submit to *prelacy* and the *supremacy*; because they esteemed *diocesan* bishops as contrary to the word of God, and therefore could never own and acknowledge them without acting contrary to their consciences. They likewise looked upon the *ecclesiastical* supremacy as an usurpation of Christ's throne and dignity; especially as it was asserted, in the preamble of act 1. session 2. parl. 1. *Char. II.* 'That the ordering and disposal of the external government and policy of this church doth properly belong unto his majesty, as an inherent right of the crown.' Their noncompliance with these things was the cause of their suffering in the manner related in the following work.

It is true, many of them *took arms in their own defence*, being constrained thereto by horrid oppression and dismal tyranny, and at last some renounced the authority of the two tyrants, but not till after they had been denounced, intercommuned, and put from under the protection of the laws of their country; and if *that* was rebellion, so was the *revolution*: But the accusations of their enemies on this score deserves very little regard, since, after the *revolution*, the forfeitures passed in these two reigns were reversed by act of parliament, and they who were most active, in the defence of themselves and their religious and civil rights, are expressly mentioned, as Mr. John King, Mr. John Kid, Mr. William and Alexander Gordons elder and younger of Earlstoun, Henry Hall of Haughhead, Mr. Cargill, Mr. Robert Bailly of Jerviswood, Archibald earl of Argyll, George earl of Melvil, nay, and Mr. James Renwick, &c. &c. The reader may see the act in the last number of Mr. Wodrow's appendix to his second volume.

Little regard, I conceive, is to be paid to what others have alledged, that many of them threw away their lives, and that they suffered only for trifles; nay, if *that* was the case, was it not base for the ministers of state, and others, in this dismal period, to shed the blood of so many innocent people for trifles? But was it a trifling matter to act against their consciences, to renounce their principles, to own the authority of a prince who had usurped the authority of Christ over his own church, and that *in the very exercise of his usurpation*? But I shall not here anticipate what the reader will, I hope, find cleared up in the history. In short, they were brave martyrs for their religion and liberties, and a covenanted work of reformation, in opposition to *popery*, *prelacy*, *erastianism*, &c. and it is well known, that whatever *resistance* was made

by any *presbyterians* during the sway of tyranny and arbitrary power, yet they of that denomination have ever shewn themselves strict adherers and firm friends to legal government.

As the following history is intended to preserve the memory of those who suffered for their religion and liberties, so it gives us a view of what may be expected, should ever the *Pretender*, or any of his race, ascend the *British* throne; or should ever *prelacy*, not to speak of *popery*, be established in *Scotland*. It is a just observation of the author of the memoirs of the church of *Scotland*, p. 194. 'That *episcopacy* never got ground in that kingdom but by violence, and never failed to exercise what power it had there to oppress and destroy its opposers, being always animated with a spirit of persecution in the church, and absolute tyranny in the state,' as will appear most evident from the following work; in which we have a view of the dismal methods the *prelates* and their abettors were pleased to take to support their power, and that they never ceased to vent a spirit of persecution against their fellow-protestants while they were able; and there are not wanting proofs that the *episcopalians* have shewn the same inclinations to this day, and only want an opportunity to give farther demonstrations of them. As they were inveterate enemies to the *revolution*, so they have made many attempts, since that time, to overturn our present happy settlement, and bring us again under their intolerable yoke: But, by the interposition of a kind providence, all their counsels have hitherto been defeated, and all their measures disconcerted. And happy was it for these nations that it was so, for, had they succeeded, we could have expected nothing but that the same bloody scene, that is here presented, would have been opened again, and the same methods of oppression and tyranny made use of. It has been alleged, that we had nothing to fear, because their KING, as they call him, would have come under the most solemn engagements to maintain the protestant religion. But who will question that? Is it possible for him to come under stronger engagements than king CHARLES II. or make fairer promises than his pretended father JAMES VII? The *pope*, no doubt, would give him liberty to swear all the oaths that could be invented, and break them too whenever it should be in his power. *Popish* princes may promise and swear whatever they have a mind, but they cannot perform what they please, because their consciences are in the keeping of others, to whom they stand solemnly engaged, as their infallible guides in matters of religion.

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Had therefore the *Jacobites* been so numerous or powerful as to succeed in their designs, and raise the *Pretender* to the throne, to what dreadful circumstances must the nation have been reduced? Would not the *Pretender* have resented, to the highest, the opposition made by the *presbyterians* to his pretended father and himself, or the inviolable attachment they have retained to the *revolution-settlement*, and the *protestant* succession in the illustrious house of *Hanover*.

As all firm *protestants* in *England* appeared against every attempt made in favour of that abjured race, so the *presbyterians* in *Scotland* were exceeded by none in standing up for the present happy establishment. With what firmness and constancy, with what boldness, resolution and courage did they espouse and plead for this cause, even in the presence of the *rebels* themselves, when it was not in their power to oppose their ravages? How ministers exposed themselves to the fury of the enemy by praying for king *GEORGE*, preaching against *popery* and rebellion, &c. &c. is well known. What then must *they*, and all the other hearty friends of their king and country, expect, should it ever be in the power of this emissary of *Rome* and *France* to revenge his quarrel? If their sufferings were so great under *CHARLES* and *JAMES*, what they must be under this bigotted tool is easy to conceive.

This work is also designed to convince all true *protestants*, especially those of the church of *Scotland*, what obligations we are under to God, for the remarkable interposition of his providence, in delivering these nations from the intolerable yoke of a race of tyrants, who did all they could to establish arbitrary power and subvert the constitution of the kingdom; a race who paid no regard to promises, oaths and laws; a race who studied more to gratify the *French* king, than how to consult the happiness of their own subjects: For who can read an account of the miseries of the nation under their tyranny, and not see the greatness of that mercy in delivering us from them? Especially when we consider, that the same providence, to which such a deliverance was owing, has frequently since appeared in defeating all the attempts that have been made to enslave us.

But have our returns of gratitude been answerable to the greatness of our mercies? What means then that deluge of atheism, blasphemy and profaneness, that so much abounds? Whence are the complaints of the more serious in all places of the nation, of a lamentable course of defection from our *reformation-principles*? And, in a particular manner, whence is it that so many worthy persons have seceded from the judicatories

ries of the church of *Scotland*? And how comes it, that many of those, who have not seceded, are so much dissatisfied with the conduct of these judicatories? For my own part, though I look upon *secession* to be a very tender point, yet I cannot in charity think that some of those who have seceded, however they may have carried matters too far, have acted without any provocation; but, as I know not the springs of the conduct of the different parties now in *Scotland*, I shall only say, that, where divisions prevail, matters are generally carried to extremities on all hands, and, in order to a reconciliation, concessions ought to be made by all the parties, if it can be done without making truth a sacrifice to peace. May God himself heal our divisions, put a stop to our defections, unite the hearts of all who have a real concern for the advancement of his glory, and revive a work of reformation among all ranks and degrees of persons.

I have heard it objected, that a history like this should not be published, because it may give offence to the *episcopal* church of *England*. But what ground there is for this is not easy to be imagined, unless we should suppose the present bishops of *England* of the same persecuting disposition with the old *Scots* bishops, or with several of their own predecessors; which is not the case; for though, according to true presbyterian principles, *prelacy* is bad in itself, and contrary to the word of God; yet the present *prelates*, to their honour I speak it, have not shewn the least inclination to persecute those of different sentiments from themselves; so that it would be a reflection upon them to suppose that they would be offended at a *history of the state and sufferings of the church of Scotland*. And what if they should be offended? Must truth be concealed for fear of giving offence? There is no question but it may offend the *Scots* EPISCOPALIANS, who are generally *Jacobites*, as they have ever been since the *revolution*: However, I neither court their favour, nor regard their resentments, as they have always appeared, not only of a persecuting spirit, but also enemies to their country and our present happy establishment.

It has also been urged, that a history of this nature can only serve to revive old quarrels; but those persons do not consider what attempts have been made to bring us under the *old yoke of bondage*, how the enemies of our present happy constitution have once more endeavoured to subvert it; and therefore, as the reverend Mr. *Wodrow* published his history a few years after the unnatural rebellion in 1715. so many of my friends, both in *England* and *Scotland*, have thought it both pro-

proper and seasonable that this should appear in the world after the rebellion in the year 1745. It was the *Jacobites* that revived old animosities; and this history, as has been already observed, shews the miseries in which we should have been involved, had God, in judgment for our many defections, and the crying abominations of the land, permitted them to be successful. If it be farther considered what a degree of reformation the church of *Scotland* attained to, both with respect to doctrine, worship, discipline and government, and how zealously our worthies resisted even unto blood, a faithful account of these things has rather a tendency to excite to a holy concern, for having a stop put to the defections of the present degenerate age, for a revival of a work of reformation, and for quickening our resentments against *popery*, *prelacy*, and every thing that tends to reduce us to that state of slavery and persecution described in the following work.

When I first engaged in this undertaking, I only intended to abridge Mr. *Wodrow's* history; but, at the advice of many friends, I was induced to use other helps for making the history of this persecuting period more clear and full. Accordingly, when I mention any thing not to be found in *Wodrow*, I generally tell my author, or quote him in the margin; so that, tho' there is nothing I thought material in that author which I have omitted, yet the author will find many things of consequence in the following work, which the other takes no notice of.

But, instead of the great number of letters that passed between *Sharp* and Mr. *Douglas*, and others, which make up the greatest part of Mr. *Wodrow's* introduction, I thought it would be more to the advantage of the curious reader, to give a short account of the most remarkable transactions of the church of *Scotland* from the reformation; but I am sorry I have it to say, that, after the end of *Calderwood's* history, there is a chasm in the history of the church of *Scotland*, from the death of king *JAMES VI.* to the restoration, though it appears, from Mr. *Wodrow's* preface, that there are sufficient materials, not only for rendering the history of that church, from the reformation to the death of the said prince, more perfect, but also for continuing the same down to the restoration; and therefore I am of opinion it would be of great service, if they, in whose hands these materials are, would favour the world with them.

It is not for me to speak much concerning my own performance, which must stand or fall according to the judgment of others; and indeed it would be an unpardonable piece of vanity,

ty, should I pretend to have given a perfect or faultless history. There will doubtless be found several mistakes; and therefore I shall take it very kind in my friends, if they find any thing in this work, either mistaken, or through inadvertency misrepresented, to let me know it, that, if I have another opportunity, I may rectify the same. However, I have endeavoured to set things in as clear a light as I could, and for this end have related the facts mentioned, as much as possible, in the order of time when they happened; and where my reader is at a loss to understand the *Scoticisms* which occur through the book, he will have recourse to the glossary at the end thereof.

As to the unhappy differences that arose among the presbyterians, concerning the *indulgence*, the paying of *cess*, the *toleration* of king *James*, &c. I have given the reader an account of what was said by both parties, in as fair and candid a manner as I could; and some perhaps will think it had been much to the advantage of the common cause, against *papery* and *prelacy*, had the contending parties shewn more christian forbearance than it appears they did. Many worthy and holy men thought it their duty to accept of the *indulgence*, &c. and the generality of the *presbyterians* embraced the *toleration*; and as their conduct was, perhaps, too severely censured by those who could not comply, so those non-complyers were too bitterly exclaimed against by the others; but such are the consequences when divisions prevail.

If I had been favoured with more materials than I could have access to, as the manuscript history of the reverend Mr. *MacWard*, some things might possibly have appeared in a clearer light. The reverend Mr. *Wodrow* told my honourable friend Sir *Thomas Gordon* of *Earlsfoun*, that, had he seen that history, and the letters that passed between the societies in *Scotland* and their correspondents in *Holland*, his history would have had a different turn; I thought it therefore my duty to apply for the said history, but could not obtain it. Upon the whole, I have given as full and distinct account of what happened, during these two infamous reigns, as I could; and if the imperfections or mistakes in this performance shall excite any better qualified for such an undertaking, to favour the world with a more distinct account of these things, I shall be very well satisfied, and shall not be altogether disappointed in my design of publishing this.

I shall only add, That I have, in this edition, corrected many literal mistakes, which had some way been overlooked in the first, and made a few alterations and additions, which I hope will render this still more useful.

To

TO THE AUTHOR OF THE
HISTORY
OF THE
STATE and SUFFERINGS
OF THE
Church of Scotland.

By THOMAS GIBBONS.

THE scenes of distant æras to disclose,
Paint o'er their blessings, and recal their woes;
To set each virtue in its native light,
And from each vice to strike the cloud of night;
To trace a country's genius, strength and laws,
Their various workings, and their latent cause,
Is HISTORY's great task; and thus thy page
Unfolds, O CROOKSHANK, the departed age.

Of late REBELLION, like some sudden storm,
That dares the bosom of the deep deform,
And strives to mingle, in one wreck of woe,
Earth, air, and skies, and ocean's gulph below,
With gloomy tempests our horizon spread,
And thunder'd instant ruin o'er our head:
But, thanks to heav'n, the dreaded danger past,
BRITANNIA smiles triumphant from the blast.
Yet still some minds (while raving frenzy sings
Of richer blessings under worthier kings)
Would fain renew the wild destructive rage,
Dethrone our monarch, o'er our golden age

The

The rayless glooms of *popish* error cast,
 And bind us in eternal fetters fast.
 O may such minds, for ev'n such minds remain
 In BRITAIN'S realms beneath a BRUNSWICK'S reign;
 Roll back the annals of preceeding times,
 The people's miseries, and the monarch's crimes;
 Then match the horrors with our happy days,
 Enjoy the bliss, and shout the thankful praise.

In MARY'S reign, her guardian promise broke,
 Our land receiv'd the anti-christian yoke;
 Bent were our fathers with the iron load,
 That gall'd their shoulders, and that drunk their blood.
 Whom see I there the murd'rer's chain partake,
 Corded and burning at the social stake?
 RIDLEY and LATIMER; illustrious pair!
 This all their guilt, — to live divinely fair,
 And resolutely good: — nor *these* alone,
 Hark, from the realm the universal groan!
 Triumphant POP'RY hurls the flaming brand,
 And martyr'd victims blaze through all the land.

MARY no more; the bloody harpy flies
 From ALBION'S cliffs, and seeks her WESTERN skies;
 But still its genius half-survives behind,
 And half infects the brave ELIZA'S mind:
 On PURITANS, averse to modes and forms,
 She bends her brow in unrelenting storms;
 The deep damp dungeon wails with pious breath,
 And cords and gibbets shriek with guiltless death.

JAMES mounts the throne; but, proud of empty fame,
 Extravagantly lifts the royal name;
 Monarchs must shake an undisputed rod,
 And nations bow to their despotick nod:
 He dies, — but, oh! the father's madness lays
 The ground of woes for his successor's days:
 Then PRELACY, by regal pow'r sustain'd,
 The native freedom of our souls restrain'd,
 Then great in vengeance rose pontifick LAUD,
 Rear'd his tribunal, and the kingdom aw'd:
 The scourge was crimson'd with the tyrant's rage,
 And life-long prisons mourn'd the iron age.

Next

Next CHARLES the son assum'd imperial sway,
 And BRITONS hop'd a more propitious ray,
 But hop'd in vain; for from its dust arose,
 Grasping ten thousand thunders for its foes,
 PRELATICK pow'r. What numbers shall relate
 Its headstrong fury, and its iron weight?
 The stars that blaz'd in ALBION's hemisphere,
 And long dispens'd unclouded radiance there,
 No more were suffer'd to indulge their light,
 Torn from their orbs, and sunk in endless night.
 On all that durst not to the mitre bow,
 Harsh laws were yok'd, and edg'd with penal woe.
 Charg'd from the throne, here all-rapacious THEFT
 Widows and orphans of their mites bereft.
 Here CRUELTY the royal mandate pleads
 For peace molested, and inhuman deeds:
 Assembled saints, their pastors at their head,
These met to give, and *those* to take the bread,
 Were dragg'd by wolves, to ev'ry-pity steel'd,
 From the thick woodland or sequester'd field,
 To share with thieves their half-defrauded cell,
 And there in long and painful durance dwell.

But ALBION bears the lighter lot of ills;
 See the thick tempest bursts on SCOTIA's hills:
 See, by THAT Prince, the SACRED COMPACT torn,
 Who late to guard th' uninjur'd rights had sworn:
 See at his nod EPISCOPACY spread,
 Its sov'reign mitre tow'ring on its head;
 Pale famine, rage, and terror lead its way,
 And death upholds the standard of its sway.
 'Tis not enough felonious caves to fill,
 'Tis not enough for cords and steel to kill;
 But on the ancle the sharp wedge descends,
 The bone reluctant with the iron bends,
 Crush'd is its frame, blood spouts from ev'ry pore,
 And the white marrow swims in purple gore.

Next JAMES succeeds; and still the slaughter spread,
 And blacker woes impended o'er our head:
 POP'RY, before unwilling to be known,
 'Tempts a bold flight, and seats her on the throne;
 Triumphant wantons in the tyrant's ray,
 Her talons whets, and dooms the world her prey.

Then MONMOUTH's star, ascending in the west,
Appears, but sinks with crimson clouds oppress'd;
While dogs of death, commission'd to destroy,
Rush, rend, and havock with remorseless joy:
The western vales unbounded murder fills,
And SCOTIA wails thro' her unnumber'd hills.

But see from *Belgia's* less'ning strands advance,
While gales exulting in the streamers dance,
The great NASSAU; to ALBION's coast he bends,
The first of heroes, and the best of friends.
The ocean, proud the blessing to convey,
Wafts him with speed along the wat'ry way.
See on our shores the brave DELIV'ERER stand,
Loud sounds th' extatick welcome o'er the land,
While abject TYRANNY avoids the sight,
As rav'ning wolves detest the rising light;
And now his angels and his own renown
With peaceful olives lead him to the throne
Triumphant; recreant at his vital smile
RELIGION blooms, and FREEDOM o'er our isle
Shoots her glad ray; and still the bliss divine
Full and unclouded shines in BRUNSWICK's line:
Oh! may it shine, till TIME has spent his store,
Till heav'ns revolving fire shall blaze no more,
Till that great day shall break upon our eyes,
That melts the ball, and takes us to the skies,
Where pure RELIGION o'er the blissful plains
Pours her eternal beam, and endless FREEDOM reigns.

ALL into whose hands the following history shall come, especially the SUCCESSORS of *those* whose sufferings are therein related.

THE righteous shall be in everlasting remembrance, said the psalmist *; and the sacred history † doth abundantly demonstrate how dear unto the LORD the memory of those are, who have had trial of cruel mockings and scourgings, yea, moreover of bonds and imprisonments; who were — tempted, were slain with the sword; — who wandered about in sheep skins and goat skins in deserts and in mountains, and in dens and caves of the earth, being destitute, afflicted, tormented. And though to such of our ancestors as have not only endured the like, but farther sufferings, as quenching the violence of fire ‡, and facing the ax, the gibbet, and other engines of torture, not accepting deliverance, it will be infinitely more than a sufficient reward, that they shall on that account be acknowledged before the FATHER, at the second coming of our LORD JESUS CHRIST; yet gratitude, and the deference we owe unto their judgment and authority, oblige us to perpetuate the memory of their zeal, their courage, their faithfulness and patience, and to examine the principles and points of testimony for which they suffered, that, if agreeable to the divine pattern (of which, for my own part, I have no doubt) we may tread in their steps, and, as opportunity is offered, imitate their example.

And, as this lesson is taught us by revelation, so may it be inferred from the very dictates of reason. The practice of all nations doth give suffrage unto this, That what is transmitted by the parents not only deserves the preference in point of inquiry, but generally obtains the pre-eminence in respect of influence; a title, an estate, an office, or whatever else hath been our father's, is more dearly accounted of by us than that of

* Psal. cxii. 6. † Heb. xi. 38. ‡ Witness Mr. Patrick Hamilton, Mr. George Wifheart, and others.

of any other : Yea, amongst the rudest of the heathen idolaters, the traditions, rites, and ceremonies of the fathers are held in reverend estimation with their children. And shall we be less zealous for our holy religion, than they are for their idolatry ? *Hath a nation changed their gods which yet are no gods ; and shall we change our glory for that which doth not profit ; or forego a profession of and adherence to our attained reformation ? Surely this were directly repugnant to a knowing the God of our fathers, and walking before him with a perfect heart.*

The grounds upon which our fathers suffered, *viz.* the alone headship and sovereignty of our Lord Jesus Christ over his church, as his free and independent kingdom, the spiritual and intrinick power of the church, the divine right of presbytery as the only government thereof appointed in his word, and the covenant obligations which the nation hath come under unto God, are no novel tenets ; They were not espoused only by our martyrs, nor were peculiar unto the period wherein they suffered, but were introduced with our reformation from popery, and, when true religion and holiness flourished most amongst us, were accounted our glory. While we walked in these paths, the Lord was with us, and owned us remarkably both as a church and nation.

But, alas ! it is both our sin and our shame, that, being weighed in our own balance, we are found wanting : For, without reckoning upon the multitudes who are given up to a spirit of deism and infidelity, are not the practices of professors disagreeable to the rule of the Lord's word ? Either a detestable neutrality and indifference, inconsistent with the belief of *one Lord, one faith, and one rule of life*, hath crept in amongst us, or a straitning of the door of church-communion and fellowship is like to be carried the length of eradicating love, the necessary cement of union amongst the brethren. Because our sins against the Lord are increased, he hath mingled a perverse spirit in the midst of us, which causeth us to err in every work, — as a drunken man staggereth in his vomit, and we eat every man the flesh of his own arm. The yoke of our transgression is bound by his hand, it is wreathed, and come up upon our neck ; and in the day of our calamity he hath covered us with a cloud in his anger, that, like the blind, we grope for the wall, and cannot find either our sin or our duty. Some cry, that there be many of our prophets who have not discovered our iniquity to turn away our captivity ; and others complain, that not a few of them have seen for us false burdens and causes of banishment : And,

for

for all this, the LORD's anger is not turned away, but his hand is stretched out still. When thus it is with us; have we not reason to cry out, *Alas! who shall live when God doth this?* or, with the men of Bethshamesh, *Who shall stand before this holy Lord God?* Surely, it is meet to be said unto God, *Shew me wherefore thou contendest with me; I have born chastisement, I will not offend any more; that which I see not, teach thou me,*—until the Lord shall reveal it unto us; and in the mean time, as far as present circumstances will permit, *Let us walk by the same rule, and mind the same thing.*

It remains to be noticed, that though it was proposed to have prefixed recommendations to this edition, and though part of these were obtained, and others could easily have been procured from severals who were supposed most acceptable; yet some, nearly concerned in, and encouragers of this edition, having signified a dislike of any recommendations, as unnecessary, considering the good acceptation the former edition met with, and that laudable designs support themselves, I have therefore been prevailed with to leave out all recommendations whatever.

The reader will also observe, that the author's marginal explications of *Scots* words in the former impression, are, for eviting repetitions, subjoined by way of *glossary* at the end of the second volume of this, and that wherever there is a reference in this, by an asterisk, thus [*] it is to former pages of the *history* itself, that whoever wants to see the connection of things may have the more easy recourse unto them.

I have said nothing to the advantages this edition must have of the first, from the many corrections thereon, and even additions made thereto; these being acknowledged by the reverend author in the end of his preface, and will be obvious to any who will take the trouble to compare this with the former edition.

That the present republication may be of use, and have a due effect upon you all, is the earnest desire of,

Your much obliged, and

EDINBURGH, most obedient humble servant,

March 25.

1754.

The PUBLISHER.

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427



THE

The INTRODUCTION, contain-
ing the most remarkable Occurrences of the
 CHURCH of Scotland from the RE-
 FORMATION.

OUR historians generally agree, that christia-
 nity was planted in *Scotland*, a few years af-
 ter the ascension of our Saviour, by some of
 the disciples of the apostle *John*, who fled
 thither to avoid the persecution of the bloody tyrant
Domitian, tho' it was not publicly professed till the
 beginning of the third century, when *Donald I.* his
 queen, and several of the nobles, were solemnly bap-
 tized. That prince did his utmost to extirpate idola-
 try, and settle a gospel-ministry, but was not able to
 accomplish his pious design, by reason of the continu-
 al wars in which he was engaged with the *Romans*.

*Christia-
 nity plant-
 ed in
 Scotland,*

But afterwards christianity was much promoted by se-
 veral ministers and private christians, who were oblig-
 ed to come from the south parts of *Britain* on account
 of the persecutions under *Aurelius* and *Dioclesian*. And
 these, for their single and retired life, were called *Mo-
 nachis*, or *Monks* by abbreviation, and, for their diligence
 in the worship and service of God, *Colidei*, or *Culdees*.
 The overseers of them were commonly termed, by the
 writers of that time, *Scotorum episcopi*, the *bishops* of
 the *Scots*, though without any definition of place, or
pre-eminence of one above another.

*The Cul-
 dees.
 Pref. of
 Knox's
 history.*

For many years the *Scots* had nothing to do with the
 bishop of *Rome*; for as the gospel was planted among
 them without his help, so they retained it in its purity,
 till, in process of time, they became infected with the
Pelagian heresy. *Celestine*, then bishop of *Rome*, is
 said to have sent *Palladius* into *Britain*, to aid the or-
 thodox inhabitants against this spreading contagion.
Eugenius II. hearing of his success in the southern
 parts, sent for him to *Scotland*. He came; and, having
 been of great service in suppressing this heresy, at last
 so far insinuated himself into the hearts of the people,
 that

*Palladius
 sent into
 Britain.*

2 The INTRODUCTION.

Pres. to
Knox's
history.

that he obtained their consent to have the government of the church changed into prelacy. *Boetius, John Mair, John Leslie, John of Fordon, Baleus*, of the Britain writers, *Baronius, Prosper, &c.* as my author evinces, all maintain, that the *Scots*, before *Palladius*, had no bishops at all, or at least their bishops were not of any distinct order from other priests or *Culdees*, by whom they were ordained.

* Letter
to the Hel-
vetian
churches.

Thus matters continued for near 1000 years after Christ; 'but, after that time, Satan being let loose from his chains and prison of darkness, (as the general assembly 1640. expresses it *) began to trouble and almost ruin the church, and, by his arts, brought matters to that pass, that, for the space of 500 years, a perpetual, and almost universal, night of errors sat down upon her.' Notwithstanding, the Lord had his witnesses in *Scotland*, who, even during the above time of gross darkness, bore an honourable testimony to his truth, in opposition to the errors and idolatries of popery; and, about the year 1494. the reformation began to dawn, and the light of the gospel to shine again in several parts of the country, and particularly in the shire of *Ayr*; which so enraged the *Romish* prelates, and our rulers then influenced by them, that with fire and faggot they endeavoured to destroy all that professed the true religion †. Howbeit, the blessed bible having got in amongst the people in several places

† Though it may seem inconsistent with our purpose to descend to particulars here, yet, considering that the burning of two of these, viz. Mr. *Patrick Hamilton*, brother's son to the earl of *Arran*, in the 1527. and Mr. *George Wisbeart* in the 1546. tended greatly to the spreading of the truth, through the inquiry made by many into the grounds of their sufferings, we will take the liberty to hint at the honourable mention made of them by the famous historian *Knox*.

* Page 4. Of the former he relates*, That, having returned to his own country from the university of *Wittenberg*, the bright beams of the true light, which, by God's grace, was planted in his heart, began most abundantly to burst forth, as well in publick as in private, and the fame of his doctrine, a summary whereof is afforded us by that historian, so troubled the clergy, (though like life from the dead to many others) that they soon brought him to the end you have heard, which he endured with great patience and admirable courage, and ended his days in the midst of the devouring flame, saying, *Lord Jesus receive my spirit. How long will darkness overwhelm this realm? And how long wilt thou suffer this tyranny of men? And*

† Page
48.

Of Mr. *Wisbeart* the same historian saith †, He was a man of such graces, as before him was never heard within this realm. He was not only

The INTRODUCTION.

3

ces of the country, and being seconded with the powerful teaching of the *holy spirit*, prevailed so far, that, about the year 1555. a farther work of reformation began to be carried on by some eminent persons whom God raised up, particularly Mr. *John Knox*, whom both our own, and other reformed churches, have accounted a man truly worthy of great estimation; and the Lord's hand was so strong upon these polished shafts, that, in the year 1557. not only the common people, but also the nobility and gentry, began to abhor the tyranny of the bishops, and to doubt whether they could, without sin, give their bodily presence to the mass, or offer their children to the papistical baptism: Whether these that were in any publick trust could, with a safe conscience, serve the higher powers, in maintaining of idolatry, persecuting their brethren, and suppressing Christ's truth: Or whether they might suffer their brethren to be executed for religion, without any declaration that such tyranny displeased them. And from the scriptures they were resolved, that a lively faith requires a plain confession when Christ's truth is impugned, and that not only be they guilty who do evil, but also

only singularly learned, as well in all godly knowledge as in all honest human sciences, but also he was so clearly illuminated with the spirit of prophecy, (instances whereof are by that author condescended on) that he foresaw several things pertaining to himself and others, to sundry towns, and to the whole realm, as they afterwards felt, and which he foretold in the audience of many: But what more particularly calls for a thankful remembrance, especially considering the time of it, was the great power and remarkable efficacy that accompanied and followed his ministry. The author of *The fulfilling of the scriptures*, speaking † of the large measure of the spirit which did † Page 243. convincingly follow the preaching of the gospel in these last times, instanceth the great success which did attend the ministry of Mr. *Wisheart* in Scotland-----whence so great a change did quickly follow in these places where he preached, through *Angus*, *Lothian*, and the western parts, and how much the spirits of the people were then raised and affected with the word. And Mr. *Knox* relates, that Mr. *Wisheart* made so notable a sermon at *Ayr*, as enemies themselves were confounded, ---Again, of another at *Mauchlin*, where some of the most wicked were converted: And that he having returned to *Dundee*, while the plague, of which he foretold them, raged there, he stood betwixt the whole and the diseased, and preached from *Psalm* evii. 20. *He sent his word, and healed them*; whereby the hearts of most that heard him were so elevated, that they regarded no death, but judged them more happy who should depart, than such as should remain behind, considering that they knew not if they should have such a comforter with them at all times.

The INTRODUCTION.

*The first
covenant
of Scot-
land.*

also they that consent to evil ; and this they should do, if, seeing such things openly committed they should be silent, and so allow whatever was done. From doubts they came to determinations to endeavour that the glorious gospel should be preached, the holy sacraments truly ministred, and superstition, idolatry and tyranny suppressed. For this end, having calculated both their right and their strength, they sent eminent persons to the remote parts of the kingdom, to incite the gentlemen and boroughs to adhere to the mutual defence of religion, and of one another in the profession thereof. Accordingly, upon the 3d *December 1557.* several of the nobility, and others, met at *Edinburgh*, where they entered into a bond, COVENANT, or association, wherein they promised before God and his congregation, ' That, by his grace, they would, with all diligence, ' apply their whole power, substance, and their very ' lives, to maintain, set forward, and establish the ' blessed word of God and his congregation ; and would ' labour, according to their power, to have faithful ' ministers truly and purely to minister Christ's gospel ' and sacraments to his people ; that they would main- ' tain, nourish and defend them, the whole congrega- ' tion of Christ, and every member thereof, with their ' whole power and hazard of their lives ; and declare ' themselves manifest enemies to all superstitious abomi- ' nations and idolatry.' This was subscribed by the earls of *Argyll, Glencairn and Morton, Archibald lord of Lorn, John Erskine of Dun, &c.* who, after this, were called *The lords of the congregation*, and the people who adhered to them were called *The congregation.*

*Queen-re-
gent's
perfidy.*

And though in all this they proceeded with that moderation which became wise subjects, attempting nothing of themselves without first supplicating the queen-regent for her concurrence, yet, at last, she appeared openly against the reformers, and made preparations to suppress them openly by force : And, in order to this, she summoned all the ministers in *Scotland* to appear at *Stirling* on the 10th of *May 1559.* which being understood, and endeavours for appeasing her proving abortive, it was agreed, that the gentlemen should accompany their preachers to the day and place appointed. Accordingly the town of *Dundee*, with the gentlemen of *Angus and Mearns*, came armed with theirs to *Perth*, and sent the laird of *Dun* before, to assure the
queen

queen that they came in a peaceable manner, only to give confession with their preachers; but they being numerous, she desired him, being one to whom they gave great ear, to intreat them to disperse; with which he readily complied, and, by a letter to them, shewed what promise and hope he had of the queen's favour, whereupon they resolved not to go forward: But she, like a true *papist*, paying no regard to her promises, held the meeting intended, called over the names, and outlawed those that were absent for contempt.

The lords of the congregation, observing the storm *Other as-* that was coming upon them, assembled at *Perth* on the *fociations.* 31st *May*, and entered into another COVENANT, or association, for the defence of themselves and their religion; and, on the first of *August* that same year, they entered into another; and God so favoured their designs, that, notwithstanding all the efforts of the queen-regent and her *French* auxiliaries, they made their way, got possession of *Edinburgh* on the 17th of *October* 1559. and at last the whole government of the kingdom into their hands. And what contributed greatly to this remarkable era, was the death of the queen-regent upon the 10th of *June* 1560. and of *Francis II.* king of *France*, the same year, within a few months thereafter, whereby *Mary*, our queen, having become a widow, and the popish party therewith much confounded, both she and they were, in a great measure, at the mercy of the reformers.

In the mean time the privy-council met, and, on *First book* the 29th of *April* that same year, gave orders to the mi- *of disci-* nisters to assemble, and draw up in writing, and in a *pline.* book, a common order for reformation and uniformity *Appol. relat.* to be observed in the discipline and policy of the church: Whereupon the *first book of discipline* was drawn up and presented to the council on the 20th of *May* following. In this book the government of the church by *prelates* is overthrown, church-sessions are established, the thrusting ministers into reclaiming congregations is condemned, the way of the trial of ministers, contrary to the *episcopal* method, is appointed, the superstitious observation of fast-days, or days dedicated to saints, is likewise condemned; and several other things tending to the right government of the church are determined. This was afterwards approved of by the council, who engaged to promote it to the utmost of their power.

The INTRODUCTION.

er, provided that the bishops, abbots, &c. should possess the revenues of their benefices during life.

Superintendents.

It is true, *superintendents* were allowed for a short space, because of the paucity of settled ministers, and want of literature in some, which the necessity of these times required a bearing with; yet so zealous were our first reformers against *popery*, that they would not acknowledge them to be *bishops*, nor suffer any who had formerly born that character in the time of *popery*, to enjoy the place and power of *superintendents*, lest those might be abused, and at last degenerate into the *old power* of the prelates. They were chosen by consent of the whole bounds where they were to visit, were tried and examined by the ministers in these bounds, and had neither the sole power of ordination nor excommunication. They were subject to the censure and excommunication of the province, who might, in some cases, depose them or lay them aside. Their main work was preaching, for they were to preach at least thrice every week; and they had their own particular flocks besides, where they were to reside, except when they were visiting the bounds committed to their care: Neither did they ever *moderate*, or preside, in general assemblies, unless they had been chosen by a majority of votes.

The book of policy being thus far settled, affairs rested for the present, until the meeting of a convention or parliament, the calling whereof was, by the treaty of peace concluded by the ambassadors of *England* and *France* with the estates of *Scotland*, in summer 1560. committed to a council of twelve.

The first confession of faith.

In this parliament, which met in *August* 1560. the reformers, by their order, drew up a large *CONFESSION of their faith*, which was read in the house, and then openly avowed, professed and ratified by them; for hitherto they had only the *Geneva* confession, which was reckoned too brief and general. Farther, this parliament made several acts against *popery*, and in behalf of the reformers, ordaining that the *bishop of Rome*, called the *Pope*, have no jurisdiction nor authority within this realm in any time coming; and that no *bishop* or other prelate within the realm use any jurisdiction for the time coming, by the said *bishop of Rome's* authority, under pain, &c. And thus the reformed religion was established by law, and church-government by prelates virtually discharged,

Popery abolished.

The INTRODUCTION.

ed, because *prelates* then had no power but what they derived from *Rome*.

Popery and *prelacy* being thus discarded, the first *ge-* First ge-
neral assembly was held at *Edinburgh* the 20th of *Decem-* neral as-
ber 1560. in which ministers and readers were ap- sembly.
 pointed unto several parishes through the country; and it was ordered, that the election of ministers and elders should be in the publick church; that intimation should be made the Lord's day preceeding; and that a petition should be presented to the estates of the realm and lords of the privy-council, craving, that all judges, magistrates, &c. should be professors of the truth according to the word of God.

A convention of estates met in *January* 1561. at *Q. Mary* which the book of discipline was subscribed by many of arrived.
 which the *book of discipline* was subscribed by many of the nobility and gentry. But queen *Mary*, having arrived in *Scotland* from *France* in the month of *August* following, had the *mass* said on the next Lord's day, which gave great offence to many; and particularly *Mr. Knox* openly rebuked some of the courtiers, who, though professors, suffered this without opposition.

The second national assembly met in *December*, when *Other as-*
 some debates arose concerning their meeting without the semblies.
queen's authority, and concerning the *book of discipline*; but matters were amicably adjusted. At the next assembly in *June* 1562. it was ordained, that, at every assembly, superintendents, ministers and elders be tried concerning their life, doctrine, and the discharge of their office. And it is remarkable, that this assembly would not acknowledge *Mr. Alexander Gordon*, bishop of *Galloway*, for a superintendent, nor admit him to that charge, till they understood that the churches in *Galloway* had elected him, and till he had subscribed the *book of discipline*.

The queen's marriage with *Henry Stuart*, lord *Darn-* James VI. born
ly, in *July* 1565. gave a general disgust. On the 19th of *June* next year, she was brought to bed of a prince, afterward *JAMES VI.* The general assembly, sitting at that time, sent some of their number to congratulate her majesty, and to desire the prince might be baptized in the *protestant* church. But the queen, disregarding their reasonable request, ordered the prince to be baptized after the *popish* manner, at *Stirling* castle, by the archbishop of *St. Andrews*. Soon after king *Henry* was murdered by the earl of *Bothwell*, who afterwards married the queen

The INTRODUCTION.

queen on the 5th of *May* 1567. This horrid scene, and many other pieces of misconduct, issued in the queen's being obliged to renounce the government in favours of her son, who was proclaimed king of *Scotland*, and crowned the 29th of *July*. Mr. *Knox* preached the coronation-sermon, and the earl of *Moray* was made regent, who next year, on the 13th of *May* 1568. defeated the queen's forces in the battle of *Landside*. Whereupon the queen fled to *England*, where she was afterwards beheaded.

*Tulchan
bishops.*

In the midst of these troubles the judicatories of the church convened, parishes had ministers settled among them, and the discipline of the church was in a great measure established. In this agreeable posture matters continued for a few years; but Satan, envying the prosperity of this infant church, excited some of the statesmen against her, who, having possession of the church-rents and the prelates benefices, contrived a method for securing the possession of them to themselves, by getting in some * *Tulchan* bishops, as they were called, who might have the name of the whole benefice, but receive only a small part, leaving the rest in the hands of these nobles. Accordingly the earl of *Morton* got the earl of *Marr*, then regent, to call an assembly at *Leith*, by means of the superintendent of *Angus*, who, upon their meeting the 12th of *January* 1572. nominated six of their number to attend six appointed by the council; and these twelve agreed to several things tending to introduce the prelates; and according to these resolutions the earl of *Morton* procured one Mr. *Douglas* to be made bishop of *St. Andrews*, Mr. *Boyd* of *Glasgow*, Mr. *Paton* of *Dunkel*, and Mr. *Graham* of *Dumblain*.

Mr. *Knox* was then at *St. Andrews*, and refused to have any hand in setting apart the bishop, nay, bore an open testimony against it. The general assembly, held at *St. Andrews* the 6th of *March*, appointed some of their number to examine into these things.

*Mr.
Knox's
Death.*

On the 24th of *November*, the famous, pious, learned and zealous Mr. *John Knox* departed this life. The night before he died, he sighed and groaned much in his sleep: And when he awoke, one *Campbel* and *John*
Johnston

* A *Tulchan* is a calf's skin stuffed with straw to make the cow give milk. The bishop had the title, but my lord had the milk. *Calderswood*, p. 55.

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Johnston, who attended him, having asked him the reason, he answered, ' In my time I have been often assaulted by Satan, and oft he hath cast my sins in my teeth, to bring me into despair, but God gave me grace to overcome all his temptations. And now that subtle serpent, who never ceaseth to tempt, hath taken another course, he seeks to persuade me that my labours in my ministry, and the fidelity I have shewn in that service, have merited heaven and immortality. But blessed be God who brought to my mind these scriptures, *What hast thou that thou hast not received? And, Not I, but the grace of God in me.* With which he hath gone away ashamed, and shall no more return. And now I am sure my battle is at an end, and that, without pain of body or trouble of spirit, I shall shortly change this mortal life for that happy and immortal life.' After prayer he was asked whether he had heard it? He replied, ' Would God that ye had heard it with such an ear and heart as I have.' Then he said, ' Lord Jesus receive my spirit.' After which he spoke no more, but without any emotion resigned his soul into the hands of his God and father. Thus the church was deprived of a burning and a shining light.

The above mentioned innovations were so disagreeable, that they were condemned by several after assemblies; and particularly it was agreed by the general assembly in October 1578. that all bishops already elected shall be required particularly to *submit themselves to the general assembly*, and if they refuse, after admonition, the censure of excommunication was ordered to be passed upon them. And in the year 1580. the assembly unanimously ordained, that all who were called bishops should demit *simpliciter*, because that office had no warrant in the word of God; and at the same time ordained provincial synods to call before them such bishops as lived in their bounds, and ordered them to give obedience to this act: Whereupon presbyteries began soon to be established in this kingdom.

On the 28th of January 1581. * the *confession of faith*, National or NATIONAL COVENANT, was subscribed by the king and

B

* N. B. In the title of the NATIONAL COVENANT, in the *Confession of faith*, it is said, That it was subscribed by the king's majesty and his household in the year 1580. thereafter by persons of all ranks in

*Acts against
prelacy,*

National
covenant
subscribed,
Calder-
wood,
p. 96.

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and his household, together with a great many others, and afterwards by all ranks of people in the land. In this confession, under the name of *hierarchy*, is condemned *episcopal* government; so that one might think that *presbyterial* church-government was now established upon sure and lasting foundations. But the king had no relish for the *presbyterial* establishment, and had those about him who increased his prejudices. In short, he was in the hands of the Duke of *Lennox*, the Earl of *Arran*, and others, who were disagreeable to the rest of the nobility.

Rode of
Ruth-
ven.
Ibid. p.
129.

Wherefore, on the 20th of *August* 1582. happened the famous rode of *Ruthven*, when the earls of *Marr* and *Gowrie*, the master of *Oliphant*, young *Lochlevin*, &c. came to *Perth*, after the king had returned from a hunting-match in *Athole*, and conveyed him to *Ruthven-castle*. At the same time they presented a declaration, signifying the reasons of their conduct, and then carried him to *Stirling*, where they gave him the full liberty of his person and government, only taking the administration out of the hands of *Lennox* and *Arran*. The king never forgave this attempt, but resented it against the ministers, as if they had been the chief instruments concerned. However, he complied with their terms, and published a proclamation for restoring the liberties of the kirk, with the freedom of her judicatures. The assembly sat down in *October*, and recognized the reformation, erected *presbyteries* in the north of *Scotland*, and impowered them to *summon the bishops* before them. And thus prelacy was born down, and the church had a little sun-shine. But the king secretly hated them, and, notwithstanding all his subscriptions and proclamations, was determined to run them down.

Liberties
of the
church
invaded.

Accordingly, in *May* 1584. his majesty, having got a parliament to his mind, they discharged all church-judicatures, gave the king power over all causes *ecclesiastical* as well as *civil*, discharged all declining of him and his council in any matter under pain of treason, and likewise all ministers to meddle, in their sermons, with the affairs of his highness or the estate. But in this parliament matters were so ordered underhand by the court,

in the year 1581. The reason of the difference of the calculation here seems to be this, that the *English* (amongst whom the national covenant, as prefixed to the *Westminster* confession, was first printed) do not begin their year till the 25th of *March*, whereas *Caldewood* reckons by the present calculation,

The INTRODUCTION.

29

court, that it seemed rather a private council than a parliament; the ministers had no access to be heard, and such as protested against their illegal proceedings, as Mr. *James Lowson* and Mr. *Walter Balcanquhal*, were forced to flee into *England* to escape the fury of the prevailing party: Mr. *Andrew Melvil* was likewise obliged to make his escape. Upon this bishops were appointed, who immediately exercised their tyranny and rage against the rest of the ministers, obliging them to promise obedience to them as their ordinaries, upon pain of banishment, confinement, &c. so that many were forced to retire, and none durst so much as pray publicly for those ministers who fled, under the pain of treason. From this the author of the *memoirs* of the church of *Scotland* justly observes, that *no sooner was p. 104.*
episcopacy, upon any occasion, set up in *Scotland*, but it began always to persecute the presbyterian church.

The parliament sat again the 24th of *August*, and enjoined all ministers and other ecclesiastical persons to appear within forty days, and subscribe the *new constitution of the church*, as it was called, and submit to their *diocesan*, on pain of losing their stipends. This brought no small trouble upon those who refused, and many went into a voluntary banishment.

However, it was not long before matters took another turn. *Episcopacy* was not able to support itself, so that assemblies and provincial synods were restored, and the king again professed a singular regard for the *presbyterial* establishment. In short, matters were carried on with so much success, that, Presbytery restored.

In the year 1590. the NATIONAL COVENANT was again subscribed by all sorts of persons. The general assembly met at *Edinburgh* on the 4th of *August*, and then the king and the church seemed perfectly reconciled; for to the eighth session his majesty came in person, and, being seated in a chair of state, the moderator, Mr. *Patrick Galloway*, proposed to him these three things, viz. *The ratification of the liberties of the kirk; Calder-*
the purging of the land of Jesuits, seminary priests, &c. wood.
and providing stipends or salaries in every parish for the ministers. To the first the king answered, That in all parliaments the liberties of the kirk were first ratified; that they knew his good-will to purge the land of *Jesuits*; and for the third he referred them to the council, and desired that *Masters Bruce, Lindsay, Pont*
and

16 The INTRODUCTION.

King's
speech to
assembly.

and the *moderator* might be sent as commissioners to treat on the subject. In a word, to please the assembly, he stood up, and taking off his bonnet, with his eyes and hands lifted up to heaven, said, ' That he praised God that he was born in the time of the light of the gospel, and in such a place as to be king of such a kirk, the sincerest kirk in the world. The kirk of *Geneva* keeps *pasch* and *yule*. What have they for them? They have no institution. As for our neighbour kirk in *England*, their service is an *ill said mass* in *English*, they want nothing of the mass but the *listings*. I charge you, my good people, ministers, doctors, elders, nobles, gentlemen and barons, to stand to your purity, and to exhort the people to do the same, and I, forsooth, so long as I brook my life and crown, shall do the same.' Thus the king flattered the assembly; and they were so moved with this unexpected declaration, that, for a quarter of an hour, there was nothing heard but praising God, and praying for the king.

The
church
flourishes.

While his majesty continued in this mood all things went on easy, the church flourished, her judicatures were acknowledged, and her *prelatical* enemies fell before her. On the 21st of *May* 1592. the assembly met and agreed to present the following articles to the king. 1. That the acts of parliament made 1584. against the authority, discipline and government of the church, be reversed, and the present government established. 2. That the act of annexation be abolished, and the patrimony of the church restored. 3. That *abbots*, *priors*, and other *prelates*, have no more liberty to vote in parliament. And, 4. that the country, which is fearfully polluted with *idolatry* and *blood*, be purged.

A faith-
ful admonition.
Calder-
wood, p.
268.

The assembly directed their brethren, and others who were appointed to present these articles, to go immediately to his majesty, and admonish him gravely, in the name of the eternal God, to have respect in time to the state of the true religion, to the many murders and oppressions daily multiplied through impunity and lack of justice, and to discharge the kingly office in both, as he will eschew the fearful challenge of God; and avert his wrath off himself and the whole land; and, that he might be the better informed, to lay down the particulars to him, and crave his answer. The king did not much relish this faithful warning. However,

The

The parliament sat down on the 29th of May, and ratified the privileges and government of the church, and particularly the *Powers of general assemblies, synods, presbyteries, and kirks or kirk-sessions, and reversed the act 1584.* granting commission to bishops and other judges constituted in ecclesiastical causes, &c. The ministers improved these advantages, and their judicatures exerted themselves to the utmost to suppress *popery* and *prophaneness*. And the better to gain this great and important point,

The provincial synod of *Fife* met 1593. and gave it *Plain dealing.* as their opinion, that commissioners repair to the king, 'To tell plainly to his majesty, that which all *Ibid. P. 289.* his true subjects think, touching his too much bearing with, favouring and countenancing of *papistical* teachers, his negligence in suppressing of idolatry and establishing the kingdom of Christ within the realm; and to declare freely to his majesty the resolution of all his godly and faithful subjects, viz. That they are ready to give their lives rather than to suffer the same.' Accordingly Mr. *Melvil* and others were appointed. The synod next proceeded to excommunicate the *papist* lords, without regard to the countenance they received from his majesty.

This plain dealing could not but excite the church's *Not re-lished.* enemies to contrive methods for her overthrow. The *papists*, on the one hand, plainly perceived that they could have no quiet settlement in *Scotland*, unless the authority of the church was broken: And profane politicians and courtiers, on the other, not being able to bear the strictness of the discipline established, prevailed with the king, notwithstanding of all his former promises and protestations, to oppose, and at last to overthrow it.

The assembly 1596. solemnly renewed the NATIONAL COVENANT, and made a faithful representation to the king of the sins of his person and family. But after that the church had not another like it during his reign; for ever after this he encroached upon their liberties, and, about the end of this year, a BOND was *The* devised to be subscribed by all the ministers of *Scotland*, BOND, on pain of losing their stipends, in which they were to acknowledge the king as their sovereign judge in all causes of sedition and treason, and of all their speeches which may import the said crimes, though uttered in the pulpit,

pulpit, or any other place. This faithful ministers would by no means subscribe; because, when they subscribed the confession of faith and *national covenant*, they there acknowledged his majesty's lawful authority; and because they perceived that it was devised on purpose for a snare, and their subscription would be a virtual acknowledging of the king as supreme and only judge of ministers in *all causes*. Thus early did the church of Scotland testify against the *ecclesiastical supremacy*.

Proclamation against ministers. On the 27th of *December* a proclamation was published at the cross of *Edinburgh*, requiring all magistrates, barons and gentlemen of power, to interrupt ministers if they should utter any speeches tending to sedition from their pulpits, in reproach, contempt or disdain of the king, his parents or progenitors, his council and their proceedings, to put them in sure firmance, till the king and council were advertised to take farther order, or at least to hinder them from preaching within their bounds or jurisdiction. These were great encroachments. The most of the ministers refused the *bond* with abhorrence.

Convention at Perth. After this the king called a *convention* of ministers, to meet at *Perth* the 28th of *February* 1597. the generality whereof were nominated by the king, and members came from the north in unusual numbers; And therefore the honest part of the ministers denied this to be a *lawful assembly*, and protested against it, and whatever should be transacted in it. Eight presbyteries entirely opposed it, but eleven approved of it under the name of *extraordinary*. And as the members of this meeting were such as generally subscribed the *bond*, they gave way to his majesty's measures.

Ordinary assembly. The *lawful assembly* had been appointed to meet at *St. Andrews*, whether Mr. *Robert Pont*, the moderator of the last assembly, went on the 27th of *April*. Though the number of commissioners was but small, yet they met in form, constituted themselves regularly, and, having begun the assembly with prayer, as usual, and with the confession of sins, which had caused the present sad alteration of affairs, they *protested* for the liberty of the church, and referred all other affairs to the next meeting.

Assembly at Dundee. Mean while the king appointed another assembly of his own model to meet at *Dundee* in the month of *May*. The king's design, at this assembly, was to get the *papist* lords, who had been excommunicated, ab-
solved.

folded, and the assembly at *Perth* acknowledged. By this time, one way or other, he got several of the poorer sort of the ministers to come in to his measures, some complying for preferment, and others for honour and profit; and thus a rent was made in the church, which grew wider and wider every day. Accordingly this assembly absolved the lords, ratified the *Perth* assembly, ordained that there be no meeting of ministers without his majesty's consent; and indeed all *ecclesiastical* matters, which were to be treated in general assemblies, were, hence foreward, first proposed and determined by the king.

At his majesty's desire this assembly chose fourteen of ^{*All for*} their number, authorising them, or any seven of them, ^{*ministers*} to advise with him about a method of presenting the ^{*to vote in*} petitions and grievances of the church, settling mini- ^{*parlia-*} ^{*ment.*} sters stipends, &c. However plausible the pretences were for this commission, yet the event shewed what was the real design; for soon after they gave in a *petition* to the parliament then sitting, in the name of the church, (though falsely, for the *main body* of the church abhorred the thought of such a thing) that *ministers*, as representing the church, the third estate of the kingdom, might have liberty to *sit and vote in parliament*. The estates in parliament assembled, judging that there ^{*Ibid.*} was no inconveniency in complying, being of opinion ^{*412.*} that no honest minister would assume any *prelatical* title, past the same into a law, and ordained, that *such pastors and ministers, as at any time his majesty shall please to provide to the office, place, title and dignity of a bishop, abbot, or other prelate, shall at any time hereafter have vote in parliament, as much as ever any ecclesiastical person had in times past, &c.* And this was approved by the royal assembly, which met at *Dundee* the following *March*. At this assembly the king would suffer nothing to be done till Mr. *Andrew Melvil* was removed. Nay, this Mr. *Melvil*, together with Mr. *John Johnston* professor of divinity in *St. Andrews*, were charged to depart out of the town under pain of horning. When the act of approbation passed by a small majority, after many threatnings to some, and promises to others, then Mr. *John Davidson* entered a solemn protest in his own name, and in the name of all the ministers of *Scotland* who adhered to him, against that and the two preceeding assemblies, as void and null. It is certain their
acts

acts were afterwards reversed, both by the parliament and assembly.

Limitations. In short, there were several meetings, as one at *Falkland* the 29th of *July* 1598. where were some debates upon this affair, and some cautions limiting these parliamentary ministers, to propose nothing in parliament without express warrant from the church, to be accountable to the general assembly, and subject to their presbytery and synod, and every way to behave as other ministers; and to all these, and other necessary points, they were bound to swear and subscribe. But all this was artifice, the better to bring in *episcopacy* by art and flattery, and by degrees; for even *Spotiswood* says, *It was neither the king's intention, nor the minds of the wiser sort, to have those cautions stand in force, but to have matters peaceably ended, and the reformation of the policy made (i. e. episcopacy established) without any noise.* From hence it is plain, that prelacy was established in *Scotland* on the foundation of royal flattery and dissimulation, and of open and avowed perjury.

King's letter to the pope. In *July* 1599. *Monsieur Bethune* arrived ambassador from the most christian king, for renewing the ancient league between *France* and *Scotland*; and in *September* following the king wrote a flattering letter to the pope, at the instigation of secretary *Elphinston*, intreating him to promote the bishop of *Vaizon*, a *Scotsman*, to the dignity of a cardinal, that by his means there might be a correspondence between the king and the court of *Rome*. In this letter his majesty styles the pope, *beatissime Pater, Pontifex maximus, &c.* The king afterwards pretended that another person wrote this letter, and that he signed it in haste, in a crowd of other papers which were to pass the sign-manual. The curious reader may see the letter itself in *Calderwood's* history, p. 427. since I have not room to insert it here.

Conference at Holy-rood-house. On the 17th of *November* following began the famous conference at *Holy-rood-house*, to which sundry ministers were summoned, but the king took care to secure a majority of his own party. For formality's sake those things were debated and resolved, which his majesty had before resolved without debating. The questions were not, if the giving ministers votes in parliament should be confirmed; that was past already: But how many they should be who should chuse, and what title they should bear. In a word, their number and

and choice were left to the king, and it was proposed that they should have the title of *bishops*: And thus a foundation was laid for bringing in of *prelacy*.

On the 19th of *November* 1601. the queen was delivered of a prince, afterwards king CHARLES I. Matters continued much in the same situation during the time the king continued in *Scotland*: The assemblies were abridged of their liberty, and the parliamentary ministers were appointed. But,

K. Charles I. born,

About the end of *March* 1603. an express arrived from *England*, with the news of the death of queen *Elizabeth*; and with letters of recognition from the privy-council there; upon which JAMES was congratulated by the lords, &c. and proclaimed king of *England*, *France*, and *Ireland*.

The king ascends the throne of England,

On the 3d of *April* he made a speech in the great church of *Edinburgh*, wherein, among other things, he said, 'As God hath promoted me to a greater power than I had, so I must endeavour to establish religion, and to take away corruption in both countries. Ye need not doubt, but, as I have a body as able as any king in *Europe*, whereby I am able to travail, so I shall visit you every three years at least, or oftner, as I shall have occasion, (for so have I written in my book directed to my son, and it were a shame to me not to perform that which I have written) that I may, with my own mouth, take account of the execution of justice of them that are under me; and that ye yourselves may see and hear me, and, from the meanest to the greatest, have access to my person, and pour out your complaints in my bosom. This shall ever be my course.'

His speech. Calderwood, P. 472.

These were fair promises, but not one word of them was performed; for no sooner did he become a king of an *episcopal* church, but, as was always natural to the spirit of *prelacy* in *Scotland*, he became a persecutor of that very church, which, in the most solemn manner, he had declared to be the *sincere*st or *pure*st church upon earth.

All grievance.

In the month of *July* 1606. the parliament met at *Perth*, and acknowledged his majesty's sovereign authority, princely power, royal prerogative and privilege of the crown, over all estates, persons and causes, and restored the *bishops* to the ancient and accustomed honour, privileges, livings, lands, &c. and repealed the act of annexation; by which they were restored to their

Bishops restored by parliament. Apol. re-lat. p. 34.

votes in parliament, and had the title of *Lords of parliament*. But though they were thus advanced to civil dignities, yet no ecclesiastical jurisdiction was given them. The commissioners from the several presbyteries through *Scotland*, being met at *Edinburgh*, gave in a most excellent *protestation* against this, in the name of the church in general, and in name of their presbyteries from whom they had commission in particular. This was subscribed by a great many ministers, and among others by *Mr. Adam Banstantine*, *Mr. John Abernethy*, and *Mr. William Couper*, who afterwards became bishops themselves.

Constant moderators. Ibid. p. 35.

When prelates were thus advanced to their civil dignities, methods were next fallen upon to advance them to spiritual power. Accordingly, on the 10th of *December* this same year, an assembly was called to meet at *Linlithgow*; but then only some presbyteries, in whom the king most confided, had notice of it; nay, matters were so secretly managed, that the moderator of the last assembly knew nothing of the matter. Here it was agreed, that there should be *constant moderators* in presbyteries chosen, and that, where the bishops resided, they should moderate both in synods and presbyteries. When this act came down refined from court, about half a year afterwards, all synods and presbyteries were charged, under pain of rebellion, to admit the constant moderators.

Conduct of the synod of Perth. Calderwood, p. 565, &c.

This was so disagreeable to the church of *Scotland*, that not one of the provincial synods accepted the constant moderator, except the synod of *Angus*, and even there it met with no small opposition. But the synod of *Perth* remarkably distinguished themselves on this occasion, at their meeting in *April 1607*. Lord *Scoon* came with a commission from the king, and threatened them in his majesty's name, if they refused to admit a constant moderator. But, notwithstanding all threatenings and unjustifiable insults, *Mr. Row*, their last moderator, took the roll of the synod in his hand, and, when *Scoon* would have pulled it out, *Mr. Row* kept his hold, and called all the names of the members, who chose *Mr. Henry Livingston* for their moderator. He beginning with prayer, according to the custom of the judicatories at that time, *Scoon* profanely interrupted him, and threw down the table, but he still continued. In short, when they returned to the next meeting, the church-doors were shut against them, so that they were obliged to meet at the south church-door, and agreed, that every pres-

presbytery, at their first meeting after the synod, should chuse their own moderator.

In the month of *February* 1610. a commission given ^{High} under the great seal to the two archbishops, together ^{commissi-} with several noblemen and gentlemen, to hold two ^{on courts.} courts of high commission, was proclaimed at the cross of *Edinburgh*; by virtue of which the archbishops, &c. obtained power to excommunicate, imprison, fine and confine, for causes ecclesiastic, whether in doctrine or manners, whether in noblemen, ministers, or common people; and there was scarce any kind of injustice or oppression that was not practised in consequence of this.

And that the bishops might have the sanction of a ge- ^{Glasgow} neral assembly, one of the king's appointment was held ^{assembly.} at *Glasgow* in *June*. All the constant moderators, who had their hundred pounds a-year, resorted to this pretended assembly. The earl of *Dumbar* was sent thither with a strong guard to intimidate the ministers, so that several, who were coming from the west to protest, were forced to return back. There was likewise money brought to hire votes. At this corrupt meeting it was, among other things, agreed, that the calling of assemblies belonged to the king; that every minister, at his admission, shall swear obedience to his ordinary; that synods should be moderated by *Prelates*; that no minister shall preach or write against the acts of this assembly; and that the question about the parity or imparity of ministers shall not be mentioned in the pulpit, upon pain of deprivation, &c. But though these were great encroachments, yet there was not a word at this meeting concerning the consecration of bishops.

However, it was judged necessary that the bishops ^{Bishops} elect should be consecrated by some of the same order; ^{consecrat-} for this purpose the king sent for three of them into ^{ed.} *England*, viz. Mr. *Spotiswood* archbishop of *Glasgow*, Mr. *Lamb* bishop of *Brechen*, and Mr. *Hamilton* bishop of *Galloway*, and issued a commission under the great seal, to the bishops of *London*, *Ely*, *Bath* and *Wells*, and *Rochester*, requiring them to proceed to the consecration of the above mentioned bishops according to the *English* Ordinal. They were accordingly consecrated in the chapel at *London-house*, *October* 21. 1610. In the month of *December* the three consecrated bishops returned to *Scotland*, and consecrated Mr. *George Gladstones* archbishop of *St. Andrews*, and in *January* and *Febru-*
ary

ary 1611. the rest of the bishops were consecrated, some at *St. Andrews*, and some at *Leith*.

P. 10.

Oath of
suprema-
cy.

Thus the original constitution of the church of *Scotland* was overturned by an usurped authority, and other violent and indirect means, contrary to the inclinations of the people, and the repeated protestations of the assembly. Bishop *Burnet*, (though an adversary) in the history of his own times, acknowledges that great opposition was made to all these steps; and adds, that the whole force of the government was strained to carry elections to those meetings, or to take off those who were chosen, in which it was thought that no sort of practice was omitted,

In the year 1612. a parliament met, and inserted in their registers the oath which every minister was to swear at his admission, by which they declared that the king was the supreme governor in *all causes ecclesiastical* as well as civil, and that they held their churches of his majesty and the crown royal of the realm. They were also to swear obedience to the bishop of the diocese. Thus were matters carried on with a high hand in favour of *prelacy*, contrary to the general sense both of ministers and people.

Sacra-
ment at
Easter.

On the 4th of *March* 1614. the ministers were commanded, by proclamation at the cross of *Edinburgh*, to prepare the people for the Lord's supper, and to administer it to them upon *Easter-day* the 24th of *April*. The people were likewise charged to communicate on that day at their own parish-churches, which was contrary to several acts of assembly.

The king's
progress
to Scot-
land.

In the year 1617. the king made a tour to *Scotland*, still farther to advance the cause of *prelacy* there. The chapel at *Holy-rood-house* was adorned after the manner of that at *Whitehall*, pictures being carried from *London* with the statues of the twelve apostles and four evangelists, curiously wrought in timber, in order to be gilded and set up. But the people murmuring, the bishops dissuaded the king from setting them up. His majesty made his publick entry into *Edinburgh* on the 16th of *May*, and next day the *English service*, singing of quirlsters, playing on organs, and surplices, were first heard and seen in the chapel-royal. And the sacrament of the Lord's supper was administered on *Whitsunday* after the *English* form. However, still greater alterations must be made; for, when the parliament

did

did meet, it was proposed, that *whatsoever his majesty should determine in the external government of the church, with the advice of the archbishops, bishops, and a competent number of the ministry, should have the strength of a law.* About fifty five ministers entered a humble and respectful protest against this, for which several of them suffered exceedingly; as Mr. *Archibald Simpson*, Mr. *David Calderwood*, Mr. *Peter Hewet*, and others, who, having been summoned before the high commission, were deprived and confined, or imprisoned, and Mr. *Calderwood* was ordered to depart forth of the kingdom. So that the bishops being once got in, the king and they were resolved to carry matters as far as possible. Accordingly,

On the 25th of *August 1618.* a meeting was called at *Perth*, to which his majesty sent seven noblemen, fifteen barons and gentlemen. Here the honest party was born down. *Spotiswood*, who took upon him to moderate, told them, that he would send the names of all who refused to the king. He asked the votes of many who had no commission, and so these five articles, viz. 1. *Kneeling at the holy sacrament*; 2. *Private communion*; 3. *private baptism*; 4. *confirmation of children*; and, 5. *the observation of holy-days*, had the approbation of all, except one nobleman, one doctor, and forty five ministers. All these unscriptural innovations *Spotiswood* got ratified in the high commission.

But these not being sufficient to establish the articles into a law, it was resolved to use all the interest of the court to carry them through the parliament, which was not, however, attempted till the year 1621. and then they were ratified on the 4th of *August*, notwithstanding all the opposition made thereto by several faithful ministers. But the methods used were contrary to the ordinary freedom of parliament. Care was taken that none of the ministers should get into the house to protest, for they knew that they had a protestation ready to deliver. And in the parliament itself they met with great opposition. The lords *Roths*, *Monteith*, *Eglington*, *Linlithgow*, *Kintail*, *Gray*, *Ross*, *Yester*, *Cathcart*, *Cowpar*, *Burlie*, *Balmerino*, *Elphinstoun*, *Torphichen*, and *Forbes*, all publicly voted against it. However, the act passed, and the articles were thereby ratified. But it is remarked, that when the king's commissioner rose to touch this act with the sceptre, there came

Five articles of Perth.

Ratified by parliament.

Calderwood.

came in at the window a great flash of lightning; after that a second, and a third. Then there succeeded an extraordinary darkness to the astonishment of all in the house. The lightnings were followed by three loud claps of thunder, which several thought were the firing of the castle guns. Then there was a surprising shower of hail, succeeded by such rain as made the streets run like rivers, so that the parliament was obliged to stay within doors for an hour and an half, and afterwards to go home without their robes.

Persecution upon this. The *prelates* having now all power in their hands, tyrannized over all ranks in such a manner, that the inhabitants were more afraid of disobliging them than his majesty; for they banished or imprisoned what gentlemen or ministers they pleased upon the slightest pretences, such as hearing their own old ministers, and the like. The prisons were filled with deprived ministers, and the remote parts with the banished. And thus far king *James* went in establishing *prelacy*, and thereby shewed his gratitude to those by whom his life was preserved in his infancy, and by whose means he obtained the crown; and what a regard he had for the *national covenant*, and for that which he called the *purest church* upon earth. But I leave the reader to his own reflections. He died not without suspicion of poison, 27th March 1625. It is certain, says bishop *Burnet*, no king died less lamented, or less esteemed than he was. This sunk the credit of the bishops of *Scotland*; who, as they were his creatures, so they were obliged to a great dependence on him, and even thought guilty of gross and abject flattery towards him.

The king dies. P. 17. Char. I. His successor CHARLES I. was no less zealous than his father for *prelacy*, but being left embarrassed in a war with *Spain*, and afterwards entering into another rashly with *France*, he had not leisure to pursue his designs upon the church of *Scotland* for some years. However, at length, he carried things in so arbitrary a manner, both there and in *England*, that he never desisted till he tumbled headless from the throne.

Though, about the end of the last reign, the persecution was hot against some eminent ministers; yet many, by the special providence of God, had a peaceable residence at their several pastoral charges. Some of them were protected by persons of considerable distinction, for not a few of the first rank in *Scotland* distinguished

Willson's Defence.

stinguished themselves by a concern for the purity of gospel-ordinances, and remarkable success attended the ministry of those who had not conformed to *prelacy*. Solemn fasts were likewise observed through the land, on account of the deplorable state of the church of *Scotland*, and for a revival of the Lord's work in that nation: And God was pleased to give a gracious return to their prayers, as we shall relate.

In the year 1633. the king made a tour to *Scotland*, attended by *Laud* bishop of *London*, together with the earls of *Arundel*, *Northumberland*, *Holland*, *Pembrake*, *Southampton*, and other lords, where he was crowned on the 18th of *June* by *Spotiswood* archbishop of *St. Andrews*, assisted by the bishops of *Ross* and *Moray*. One *Larrey*, speaking of the king's coronation, says, 'The archbishop of *Glasgow* ought to have been on the right of the archbishop of *St. Andrews*; but *Laud*, who had the direction of the ceremony, seeing he was not in his pontifical robes, as the others were, being a person who abhorred pomp, had the boldness to pull him forcibly from his place, and to substitute the bishop of *Ross* in his stead. To this outrageous insult *Laud* added words that were not less insulting, *Are you a churchman, and dare you appear here without a habit suitable to the episcopal dignity, and the solemnity of this day?* The *Scots* saw, by this action, what was to be expected from such a man, who was zealous for *episcopacy* even to superstition; but they knew him much better soon after.'

His progress to Scotland.
His coronation.
Hist. of the Stuarts.
P. 117.

On the 20th of *June* the parliament met and gave his majesty the largest subsidy that had ever been granted to any king of *Scotland* before him. After which he proposed two acts relating to religion, the one concerning his royal prerogative and the apparel of churchmen, and the other for ratifying the former acts touching religion. These were the only acts that met with any opposition, on account of the consequences which some feared the king would afterwards draw from them. Some of the members of this parliament suspected the king would make use of this act to introduce the *surplice*. And being asked whether he intended it, he made no answer, but, taking a list out of his pocket, said, *Gentlemen, I have all your names here, and I'll know who will do me service and who not this day.* However, it was carried in the negative, thirteen lords and the majority

His usage of the parliament.
Rapin.
Neal.
Vol. 2.
P. 239.

majority of the commons voting against it. The lords said, they agreed to the act so far as it related to his majesty's prerogative, but dissented from that part of it which referred to the *apparel of churchmen*, fearing lest under that cover the *surplice* might be introduced. But his majesty said, he would have no distinction, but commanded them to say *yes* or *no* to the whole bill. The king marked every man's vote, and, upon casting them up, the clerk declared that it was carried in the affirmative, which some of the members denying, his majesty said, the clerk's declaration should stand, unless any of them would go to the bar, and accuse him of falsifying the record of parliament, at the peril of his life. This method of proceeding justly disgusted all ranks of people, especially as the king would not look upon the dissenting lords, nor suffer them to kiss his hand.

Laud's
regulations
of the
royal cha-
pel. Ibid.
241.

When the king left *Scotland*, he erected a new bishoprick at *Edinburgh*, and about two months after, *Laud* being advanced to the archbishoprick of *Canterbury*, framed articles for the reformation of his majesty's royal chapel in that city, which were sent to *Scotland*, with a declaration under the king's own hand, that they were intended as a pattern for all cathedrals, chapels and parish-churches in that kingdom. The *Liturgy* was to be read in the choir, the sacrament to be received kneeling, the dean to appear in his *whites*, &c. Matters were come to a sorry pass, when such innovations were made by an *English* prelate, without the consent of either parliament or general assembly in *Scotland*. Surely faithful ministers had just reason to preach against the *English* hierarchy, and to warn the people against surrendering up their liberties into the hands of a neighbouring nation.

Prejudi-
ces against
the bishops.
Mem. of
the dukes
of Ham-
ilton.
p. 29.

Accordingly their endeavours were not fruitless: For, as bishop *Burnet* observes, though the bishops were cherished by the king with all imaginable expressions of kindness and confidence, yet, being charged with *popery*, *arminianism*, and breach of sabbath, they lost all their esteem with the people. Neither, says he, stood they in better terms with the nobility, who were at that time as considerable as ever *Scotland* saw them. They were offended because the bishops seemed to have more interest with the king than themselves. *Spotiswood* archbishop of *St. Andrews* was made chancellor, and *Maxwell* bishop of *Ross* was fair for the treasury. They were

were no less hateful to the ministry, because of their pride, which was cried out upon as insupportable; so that the reader cannot be surprised at the nation's being roused, and at the methods which were afterwards taken to throw off the dismal yoke of *prelacy*.

When the king was in *Scotland*, it was reckoned a blemish in the church, that it had no *liturgy* nor *book of canons*. To supply this defect the king ordered the bishops to prepare draughts of both, and remit them to *London* to be revised by the bishops *Laud*, *Juxon* and *Wren*. The *book of canons* being first finished, was presented to the king, and by him delivered to *Laud* and *Juxon* to be examined, altered and reformed at pleasure, and to bring it as near as possible to the *English* canons. The bishops having executed their commission, and prepared it for the press, the king confirmed it by letters-patents under the great seal, dated at *Greenwich*, May the 23d 1635. These canons were subversive of the whole constitution of the church of *Scotland*; for the first canon excommunicates all who affirm the power and prerogative of the king not to be equal with the *Jewish* kings, that is, *absolute and unlimited*. The second excommunicates those who shall affirm, that the worship contained in the *book of common-prayer* (which was not yet published) or the government of the church by *archbishops*, *bishops*, &c. to be corrupt, superstitious, or unlawful.-----The book farther decrees, that no assembly of the clergy shall be called but by the king; and that none shall receive the sacrament but on their knees. After sundry other canons of this nature, as appointing fonts for baptism, church-ornaments, communion-tables or altars, &c. the book appoints, that no person shall be admitted to holy orders, or to preach, or administer the sacraments, without first subscribing the foresaid canons. These things could never go down with the people of *Scotland*. Nothing could be a greater evidence of infatuation, than to think that they would submit to canons dictated for them by a few *foreign* bishops, without so much as asking their advice or consent. These proceedings, and such an unprecedented stretch of the prerogative, and to them hateful *supremacy*, could not miss to enflame them.

And, to crown all, the king was resolved to have a publick *liturgy* or *book of common-prayer* used in *Scotland*; This his father could never accomplish, and his son soon

found it impracticable. It was, however, appointed to be read on *Easter-day* 1637. against which Time all parishes were to be provided with two books at least. It was first set up in the chapel royal at *Holy-rood-house*, but the more the people saw the service performed, the more hateful and abominable it appeared to them.

Tumult in the great church. Mem. of church of Scotland, p. 178, &c.

On the 23d of *July* there was a great concourse of people in the great church at *Edinburgh*, and, when the hour of service was come, the dean in his surplice came out of the vestry, (the people gazing as at a great show) passed through the crowd to the reading desk, and began the service; the people as yet continuing quiet; but on a sudden, at some words that disgusted *Janet Geddes*, an old woman, she started up and said, *Villian, dost thou say mass at my lug?* And taking up a little stool, on which she sat, threw it at the desk. Some that sat next followed her example, till the whole church was in an uproar, and the dean obliged to leave the desk and pull off the *surplice*, for fear of being torn in pieces. The bishop of *Edinburgh* being present, went into the pulpit and beckoned for silence, but to no purpose: So both bishop and dean were obliged to give over, and

Burnet's Mem. of D. of Hamilton, p. 31, 32.

retire to the vestry for their safety. As the lords of council complained to the king of this disorder, they spared not to lay the greatest blame of it upon the *bishops*. After the strictest inquiry, it did not appear that any above the meaner sort were accessory to this tumult. However, the lords of council thought proper to dispense with the *service* next lord's day, till they should hear from his majesty. But *Laud* dispatched their messenger with all expedition, telling them, *It was the king's firm resolution that they should go on with their work; and blaming them highly for suspending it.*

Neal. p. 315.

Petitions. Mem. of ch. Scotland. p. 181.

The country people having then been engaged in their harvest, things went on pretty smooth; but, when that was over, it was soon found that the generality of the nation was disgusted at these impositions: Accordingly, in the middle of *September*, a vast number of gentlemen of rank, and others, presented a petition to the council, requesting them that the *service-book* might be no farther pressed upon them, till these things might be represented to the king, and his pleasure be farther known. The council not regarding this petition, and being averse to a being importuned, removed the session

to *Linlithgow*; whereat the citizens of *Edinburgh* were so enraged, that a vast mob arose and surrounded the council-house, while the members were sitting, and demanded a more favourable answer to their petition, and that the *service-book* might be laid aside till the king was fully informed of the matter. Next day another petition was presented, signed by nineteen noblemen, three hundred gentlemen of note, and by the principal inhabitants of *Edinburgh*. But tho' this petition was sent to the king, yet, instead of returning a soft answer, he ordered a proclamation to be published from *Stirling*, to forbid all tumultuous meetings on pain of rebellion, &c.

Upon this sundry noblemen, barons, ministers and burghers met together, and signed the following protest, *And a protestation. Neal. p. 317.*

1. That it is the undoubted right of the subjects of *Scotland* to have immediate recourse to the king by petition. 2. That *archbishops* and *bishops* ought not to sit in any judicatory in this kingdom, civil or ecclesiastical, till they have purged themselves of those crimes which are ready to be proved against them, 3. That no proclamation of council, in presence of the *archbishops* or *bishops*, shall be prejudicial to any of our proceedings. 4. That neither we, nor any that adhere to us, shall incur any damages for not observing the *liturgy*, or *book of canons*, as long as it is not established by general assembly, or act of parliament. 5. That, if any inconvenience fall out (which God prevent) upon pressing the late innovations, we declare the same is not to be imputed to us. 6. That all our proceedings in this affair have no other tendency, but the preservation of the true reformed religion, and the laws and liberties of the kingdom.

The council, being apprehensive of danger from these large assemblies and combinations of people, agreed, That if they would return peaceably to their habitations, they might appoint some of their number of all ranks to represent the rest, till his majesty's pleasure concerning their protest should be more fully known. Accordingly they erected four TABLES at *Edinburgh*, one of the nobility, another of the gentry, a third of the boroughs, and a fourth of the ministers. These prepared and digested matters for the general TABLE formed of commissioners from the other four, where the final Resolutions were taken. *They erected TABLES. Neil. p. 318.*

These,

28 The INTRODUCTION.

*Renew the
national
covenant.
Apol. re-
lation. p.
47.*

These, rightly judging that the main procuring cause of all the calamities of the nation, was the violation of the NATIONAL COVENANT, unanimously resolved to renew the same; and accordingly they drew it up with some additions and confirmations out of the acts of parliament, and bound themselves 'to adhere unto, and defend the true religion, and (forbearing the practice of all novations already introduced in the worship of God, or approbation of the corruptions of the publick government of the kirk, or civil places and power of kirk-men, till they be tried and allowed in free assemblies and parliaments) to labour, by all means lawful, to recover the purity and liberty of the gospel, as it was established and professed before the foresaid innovations, and promise and swear to continue in the profession and obedience of the foresaid religion, to resist all contrary errors or corruptions; and that they had no intention to attempt any Thing that might tend to the dishonour of God, or to the diminution of the king's greatness and authority, and to defend themselves mutually in the same cause, &c.' This was subscribed by all present; and copies of it, being sent to those who were absent, were read in the churches, heartily approved of, and subscribed and sworn to, with

*Wilson's
defence—
p. 240,
676.*

tears and great joy, on the first of *March* 1638. in the *Grey-friers* church at *Edinburgh*. The flower of the nation was present, This solemn meeting consisted of the nobility, of the barons and gentlemen from the several shires, of burgesses from burghs, with ministers, and others. The town of *Aberdeen* was the only place of any note in the kingdom that declined to join in the covenant. Therefore the general meetings at *Edinburgh* sent Masters *Alex. Henderson*, *Dav. Dickson*, and *Andrew Cant*, to that town; and, notwithstanding the opposition they met with from the doctors and ministers of the place, such was their success, that several of special note cheerfully put their hands to the covenant, which was sworn by the generality of all ranks through the nation before the end of *April*.

*Marg. of
Hamil-
ton com-
missioner,
Ibid.*

The king, being informed of all these proceedings, sent the marquis of *Hamilton*, as his high commissioner, to use his utmost to dissolve the TABLES, and get them to desist from the covenant. The covenanters (for so they were after this called) absolutely refused, and insisted upon a free parliament and a general assembly.

The

The INTRODUCTION. 29

The marquis, finding he could make no Impression on these faithful men, returned to court: Mean while the general meeting agreed to publish a paper, intituled, *Reasons for a general assembly*, and came to a resolution, That, if the king should refuse, or delay, to call a general assembly, they would fall upon the most proper measures themselves for convening a free national assembly of the church of *Scotland*. The marquis returned about the 12th of *August*, and proposed from the king the granting of an assembly, but upon such conditions as had an evident tendency to frustrate the designs of these faithful contenders for the cause of Christ. The marquis returning again to court, it was agreed, That, if he did not come back by the 22d of *September*, they should proceed in the election of commissioners for a general assembly. The marquis, according to his Instructions, had made several concessions, such as, the revoking the liturgy, the canons, the high commission, and the five articles of *Perth*: But as the main thing was omitted, viz. the abolishing of *diocesan episcopacy*, they justly rejected all proposals. He returned at the time appointed, and published a proclamation for an assembly to meet at *Glasgow* the 21st of *November* 1638.

The assembly met, consisting of 143 ministers, together with professors from the universities, and 95 ruling elders from the presbyteries and burghs. Forty eight burghs were present by their commissioners, so that there were only 47 elders from the presbyteries. The reverend Mr. *Henderson* minister at *Leuchars* was chosen moderator. The earl, afterwards marquis of *Argyll*, though a member of the privy-council, attended all the sessions of this assembly, in order to hear their debates and determinations concerning *diocesan episcopacy* and the five articles of *Perth*, and declared his full satisfaction with their decisions. It was here that this noble peer began to distinguish himself by a concern for the redeemer's glory, and he continued stedfast unto the end, dying a martyr for that cause which he now espoused; and, at their 8th session, several others of the nobility expressed themselves after the same manner with *Argyll*.

The marquis finding, after seven days attendance upon the assembly, that they resolved to carry on the design of the TABLES, thought fit to dissolve them in the king's name. But, as they found not his reasons for dissolving them of equal weight with those which called them

The general assembly at Glasgow. Ibid. p. 248.

p. 254.

dissolved.

30. The INTRODUCTION.

them together, they entred a humble protest thereagainst, and continued to sit until they finished their business. In their protest they say, *That it is unlawful in itself, and prejudicial to the privileges that Christ has left his church, for the king to dissolve or break up the assemblies of this kirk, or stay their proceedings; for then it would follow, that religion and church-government depended absolutely on the pleasure of the prince, &c.* The assembly, therefore, continued sitting till they passed the following acts: An act for disannulling all the assemblies by which *prelacy* was countenanced and established, particularly those held in the years 1606, 1608, 1610, 1616, 1617, 1618. An act for abjuring and abolishing *episcopacy*: An act for condemning the *five articles of Perth*, *book of canons*, *book of ordination*, and the *high-commission*: An act for restoring *presbyteries*, *provincial and national assemblies*; and several others of the same nature. They likewise pronounced sentence of deposition against the *bishops*, eight of whom were excommunicated, four excluded from the ministerial function, and two only allowed to officiate as pastors or presbyters. They then wrote to the king, complaining of his majesty's commissioner for declaring them traitors, and praying that he would look upon them as his good and faithful subjects.

The king goes against the Scots.

But the king, partly from his aversion to *presbytery*, and partly from his consulting with none but the avowed enemies of *presbytery*, published his resolution, on the 26th of *January* 1639. to go in person against the *Scots COVENANTERS* at the head of an army. They, on the other hand, hearing of the preparations which were making against them, provided as well as they could for their own necessary defence. The king went against them with an army; but matters were so managed, that his majesty thought proper to yield to a *pacification*, by which all differences were to be referred to a general assembly, to be held *August* the 12th, and a parliament to meet in a fortnight thereafter. Both armies were to be dismissed; however the *Scots*, knowing with whom they had to do, prudently kept their officers in pay, that they might be ready in case of necessity.

A pacification.

Assembly and parliament.

The assembly met at *Edinburgh*, and the earl of *Traquair* was commissioner. They unanimously confirmed the assembly at *Glasgow*, appointed the *COVENANT* to be taken throughout the kingdom, and, with one consent, determined that *diocesan episcopacy* was unlawful; all

The INTRODUCTION. 31

all which the commissioner assented to. The parliament sat down on the 31st of *August*, but, things being managed contrary to the king's inclinations, it was prorogued to the 2d of *June* 1640.

Mean while the king resolved to renew the war, in order to force the *Scots* to a compliance with his designs. Both parties made preparations accordingly. The *Scots* were victorious at *Newburn* and took *Newcastle*. At last the king, finding it impossible to carry on the war, appointed commissioners to treat with the *Scots* at *Rippon*, who agreed to a cessation of arms for two months, and the treaty to be adjourned to *London*, where a free parliament was immediately to be called.

While these things were transacting, the parliament of *Scotland* sat down on the 2d of *June*, which was the time to which it was adjourned, and, by their fourth act, they ingrossed and specially ratified an act of the general assembly 1639. condescending on the imposing of *prelacy*, the *service-book*, and *book of canons*, the five articles of *Perth*, &c. as the causes of their bygone evils, with the remedies thereof. They also ratified the COVENANT, and ordered it to be inserted in their registers. So that, if we may not say with some authors, that, in this parliament, all the acts of the assembly 1639. were ratified, we may, at least, affirm, that the sum and substance of the reformation then attained to, and contended for, was so.

The king, not relishing the proceedings of the parliament at *Westminster*, made another progress into *Scotland*, with a view, whatever was pretended, to break the confederacy that was then between the *Scots* and the *English* parliament. He arrived at *Edinburgh* in *August*, and on the 19th the parliament sat down, and there he approved of all their late proceedings, in opposing the *English* liturgy, and erecting TABLES in defence of their liberties. And it was enacted, That every member of succeeding parliaments shall take and subscribe the national covenant, and give an oath in parliament relative thereunto. And thus *presbyterian* government and discipline were re-established by king, parliament and assembly, and abjured *prelacy* legally abrogated.

While *CHARLES* was at *Edinburgh*, it is said that he sifted the *Scots*, to see whether he could prevail with them to invade *England*, to assist him to subject the parliament there to his will; and that he offered them the

War renewed.

Parliament sat down.

The king goes to Scotland. Neal. p. 480, &c.

Wodrow. p. 22.

Hist. of Stuarts. P. 178.

three

p. 22, 23. three northern counties for this service. Yea, the author of *The mystery of iniquity*, printed at London 1643. says, 'That the king sent propositions to the Scots while at Newcastle, of joining with the English army against the parliament, and that, for this Service, he offered them three hundred thousand pounds to be paid down, the four northern counties, and the plunder of London, the quitting of his revenues and customs in that kingdom to their publick use, the king's residence at York, for the better accommodation of both nations; but that the Scots not only refused these Offers, but likewise acquainted those who were most intrusted with the affairs of the English parliament, of their readiness rather to assist them in securing their just privileges, and in settling both nations in truth and peace.' Whatever be in these things, it is certain his majesty's design, in this progress, was to gain over the Scots, that he might be at liberty to enslave the English parliament, and therefore he complied with every thing. At this time the marquis of Hamilton was made a duke, and the earl of Argyll a marquis. But the king no sooner returned to England, than he repented of all his concessions in Scotland.

Rise of the
solemn
league and
covenant.
Calamy. During the civil war in England, the English parliament called an ASSEMBLY of divines to sit at Westminster, for consulting about religion and church-government, in order to carry on a work of reformation in that kingdom. These divines were men of eminent learning and godliness, ministerial abilities and fidelity. In the year 1643. commissioners were sent to Scotland to treat with the assembly there concerning these things. The commissioners arrived at Edinburgh, August 9th, and were favourably received. On the 12th they presented their proposals to the convention of estates, and on the 15th to the assembly, desiring, *That, because the popish prelatical faction is still pursuing their design of corrupting and altering the religion through the whole island, the two nations might be strictly united for their mutual defence against them and their adherents, and not to lay down arms, till those their implacable enemies be disarmed, &c.* It was agreed, at the first conferences, that the best and speediest means for accomplishing the union and assistance desired, was, for both nations to enter into a mutual covenant and league, which was soon drawn up and approved of, and sent into England by the hands of lord Maitland, afterwards duke of Lauderdale, and Mr. Henderson

Apol. relation.
p. 69.

derfon and Mr. Gillespie, where it met with the approbation both of the parliament, and the assembly then fitting at *Westminster*, and was solemnly sworn and subscribed almost in all parts of that nation. The covenant subscribed and sworn.

When thus it was sworn in *England*, the commissioners of the general assembly, 11th *October* 1643. ordered the same to be, with publick humiliation and all religious solemnities, received, sworn and subscribed by all ministers and professors within the church of *Scotland*: And next day the commissioners of the convention of estates appointed the same thing. All this was approved and ratified by act of parliament 15th *June* 1644. and by the general assembly 1645. And thus both nations, in a most solemn manner, abjured *popery* and *prelacy*, &c. and by this means the strength of the *popish* and *prelatical* faction was, in a great measure, broken.

By this time the king's affairs grew desperate, wherefore, on the 5th of *May* 1646. he surrendred himself to general *Leven*, and marched with the *Scots* army from *Newark* to *Newcastle*; but he would by no means approve of the *solemn league and covenant*, nor yet comply with the propositions made to him by the parliament of *England*. At last he was, upon the intreaty of the *English* parliament, and their promise for using him honourably; delivered up to them, and their commissioners conveyed him to *Holmby-house*, where he continued for some time. The king goes to the Scots. Is delivered up.

In the year 1648. the duke of *Hamilton*, by his interest and intrigues, prevailed with the convention of estates to raise an army and appoint him general of it, in order to rescue the king from his captivity. This undertaking and engagement was entirely disagreeable to many, and the commission of the assembly remonstrated against it; not that they were against the king's rescue, as appears from their declarations, but they found, that, under the colour of acting against the *independents* of *England*, the *royalists*, the mortal enemies of *Scotland* and of all *presbyterians*, were to be restored: Besides, this was chiefly promoted by those who were never friends to the reformation then attained to; nay, they observed, that men were sent for to *Edinburgh*, who were enemies thereto, as *Langdale*, *Musgrave*, *Glemham*, and others; that the junction with the king's party, consisting of *papists* and *episcopalians*, was a most manifest

nifest breach of the *covenant*; that, in short, by this the *covenant*, which was the basis and foundation of the union between the two nations, would be destroyed, whilst it was pretended to raise an army for its support. And indeed providence blasted the whole design; for tho' duke *Hamilton* invaded *England* with a numerous army, yet he was routed by CROMWELL, taken prisoner, and afterwards beheaded.

Act of
Classes.
Burnet.

Soon after this defeat, the parliament not only condemned the *engagement*, for the reasons above-mentioned, but likewise passed an act against the *engagers*, ranking them in several *classes*, whence it got the name of *An act of classes*, whereby they were excluded from all offices of publick trust and vote in parliament. Of this number were *William* earl of *Lanerk*, brother to the duke of *Hamilton*, the earl of *Lauderdale*, and several others, who formed a faction, which *Rapin* calls the *Hamiltonian*. In short, this act included all who had opposed the work of reformation. The commissioners of the assembly likewise appointed church-censures to be inflicted on those who had been concerned in the *engagement*, in order to bring them to repentance.

Rapin.

The king's
death.

At last the *sectarian* party came to such a height in the *English* army, that they over-ruled the parliament of *England*; for they put down the house of lords as useless, modelled the house of commons as they thought fit, and erected a new court, which they called an *High court of justice*, before which they arraigned the king, and violently took away his life, *Jan.* 30. 1649. against which the commissioners both of the church and state in *Scotland* did solemnly protest.

P. Charles
takes
the title of
king.
Rapin.

The prince of *Wales* received the news of these things at the *Hague*, and immediately assumed the title of king, being then 18 years of age, and made those of his father's council, who attended him, to be sworn of his privy-council, with the addition only of one person, viz. *Mr. Long*, his secretary. In the mean time his condition was deplorable, not having wherewith to maintain his household, or any table but that of the prince of *Orange*, his brother-in-law, and subsisting intirely by his assistance, which could not last very long.

Proclaim-
ed at E-
dinburgh

When advice came of the king's death to the parliament of *Scotland*, which was then sitting, they, on the 5th *February* 1649. ordered prince CHARLES to be proclaimed king of *Great-Britain*, *France* and *Ireland*, promising

promising humbly and faithfully to obey, maintain and defend him, according to the NATIONAL COVENANT, and the SOLEMN LEAGUE and COVENANT, with their lives and fortunes; and at the same time declaring, that, before he be admitted to the exercise of the royal power, he shall give satisfaction to the kingdom in those things that concern the security of religion, the unity between the kingdoms, and the good and peace of the kingdom of Scotland, according to the covenants, &c.

Immediately commissioners were sent to treat with his majesty at the *Hague*, who returned without satisfaction. Next year commissioners were sent to him at *Breda*. The parliament pitched upon the earls of *Cassils* and *Lothian*, *Alexander Brodie* of that ilk, Mr. *George Winram* of *Libberton*, (these two last being lords of session) together with Mr. *John Smith* and *Alexander Jaffray*. The commission of the kirk chose the reverend Mr. *John Livingston*, Mr. *James Wood*, and Mr. *George Hutchison*. *Cassils* and *Brodie* sustained the character of ruling elders. It was with great reluctance that Mr. *Livingston* engaged in this service. The day these commissioners landed at *Campvere*, *Lothian* and *Libberton* proposed that letters might be written to duke *Hamilton* and the earl of *Lauderdale*, and some other malignants then at the *Hague*, to repair to *Breda* to assist at the treaty; which was rejected. However, after the commissioners got to *Breda*, duke *Hamilton*, &c. came likeways. The parliament had limited the time of treating to thirty days, and yet it was several days before the first papers were delivered to the king, and some days after before his majesty gave his answers. The king complied at last to all the conditions required, yet the reverend Mr. *Livingston*, one of the commissioners, says, That, all the time of this treaty, he continued the use of the *service-book* and of his *chaplains*, and that there did not appear any thing of sincerity on his part, for he granted nothing until he was in a manner compelled; and it was the very last day they had to treat before the treaty was concluded.

The king postponed the signing of the treaty, on account of the great hopes he had entertained from the expedition of the marquis of *Montrose*, who had picked up 2 or 3000 men in *Denmark* and *Holstein*, with an intention to prepare the way for the king's reception in *Scotland*, without being obliged to comply with the terms proposed.

Treaty of
Breda.
Living-
ston's
Life, writ
by himself,
p. 29,
&c.

Mon-
trose's
expedi-
tion.
Hist. of
Stuarts,
p. 387.
ed.

Hind let
loose. P.
86,

ed. Part of these troops landed first in *Orkney*, and the rest at *Caitness*, during the time of the treaty. The parliament having notice of this, ordered *David Lesly* to march against him; but before he could come up, colonel *Strachan* fell upon, and intirely defeated them. *Montrose* surrendered himself to *Astin*, by whom he was sent under a strong guard to *David Lesly*, who carried him to *Edinburgh*, where he was hanged, drawn and quartered. It was found that he had the king's commission; whereupon the committee of estates determined to recal their commissioners from *Breda*, and break off the treaty; and for this end sent an express with letters, which, falling into the hands of *Libberton*, were, without the knowledge of the other commissioners, delivered by him into the king's hands; who, seeing how matters stood, thought proper to comply with all the proposals. He engaged to remove from his counsels all who stood excommunicate by the kirk; that he would take the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT, and prosecute the ends thereof; that he would ratify and approve all acts of parliament enjoining the same, and establishing presbyterian government, the directory of worship, the *Westminster confession of faith* and *catechisms*, &c. and that all civil matters should be determined by the present and subsequent parliaments, and all ecclesiastical by the ensuing general assemblies of the church. But though he agreed to all this, it is plain he did not intend to perform the it. All was artifice and dissimulation.

The king
communicates
kneeling.

Living-
ston's
life.

P. 35.

For, on the *Saturday* before the king left *Breda*, the ministers, who were commissioners for the church, having intelligence that his majesty intended next day to communicate kneeling, went to him and shewed him the sin of so doing; how it would provoke God to blast all his designs, was inconsistent with his concessions, and would confirm some, who were of opinion that he was only dallying with God and them. They left him, to think of what they had said, till after supper; and, when they returned, they found him fixed in his resolution. He said, *His father used always to communicate at Christmas, Easter and Whitsunday, and he behoved to do so likewise; and that people would think strange of him, if, having resolved to communicate, he should forbear it, and that he did it to procure a blessing from God on his intended voyage.* In short, all they said could not prevail, so that

in effect his majesty broke the treaty before he left Bre-
da.

The king embarked, and, besides the commissioners, *The king*
was attended by duke Hamilton, the earl of Lauderdale, *embarks.*
and other malignants, so that Mr. Livingston had no *Ibid. 36.*
inclination to go aboard; for he says, that he thought,
both in regard of the profane malignant company, and
how matters stood in the treaty, they were taking the
plague of God with them to Scotland; and therefore he
chose to go back to Rotterdam, and come home with
the first opportunity. However, under some pretence
used to decoy him, he was got aboard, and the king
arrived in the mouth of the Spey on the 23d of June.
There had been debates during the passage concerning *p. 38.*
the king's taking the Covenants, to which he seemed re-
fractory; however, at last, he declared his willingness.
Mr. Livingston would fain have had the king's swearing
postponed, because he did not look upon him to be sin-
cere, but the rest urged, that it would give great of-
fence if the king's offer of swearing the covenant should
be rejected.

Mr. Livingston, not being able to get this affair delay- *Takes the*
ed, was prevailed with to preach on the occasion; *covenants,*
which having done, he distinctly read the NATIONAL *Apol.*
COVENANT and SOLEMN LEAGUE and COVENANT. *relat. p.*
His majesty standing, and lifting up his right-hand, *65.*
swore the same in presence of the commissioners and o-
thers, in the following words subjoined to both cove-
nants.

I CHARLES, king of Great-Britain, France and *The king's*
Ireland, do assure and declare, by my solemn *Oath.*
oath, in the presence of the almighty God the searcher
of hearts, my allowance and approbation of the NA-
TIONAL COVENANT, and of the SOLEMN LEAGUE
and COVENANT above written, and faithfully oblige
myself to prosecute the ends thereof in my station and
calling; and that I, for myself and successors, shall
consent and agree to all acts of parliament enjoining
the NATIONAL COVENANT and SOLEMN LEAGUE
and COVENANT, and fully establishing *presbyterial*
government, the directory of worship, the confession
of faith and catechisms in the kingdom of Scotland, as
they are approved by the general assembly of this
kirk and parliament of this kingdom. And that I
(shall

‘ shall give my royal assent to the acts of parliament en-
 ‘ joining the same in the rest of my dominions, and
 ‘ that I shall observe them in my own practice and fa-
 ‘ mily, and shall never make opposition to any of these,
 ‘ or endeavour any change thereof.’

And immediately subscribed the same. We shall see what regard he paid to this. However, for the present, he acted his part as well as he could, and submitted to every thing required, even to part with *Hamilton, Lauderdale*, and others. But all this was against the grain. He had an inward aversion to every thing that looked like strictness in religion, and was uneasy at the faithful reproofs he received from time to time.

Crom-
 wel
 marches
 against
 Scotland.

But while these things were a-doing in *Scotland*, the parliament of *England* recalled *Cromwel* from *Ireland* to take the command of an army which was to act against the king. Accordingly, about the middle of *July*, that general was at the head of an *English* army, consisting of eighteen or nineteen thousand men and marched to the frontiers of *Scotland*, where he published his manifesto.

At this time both church and state were taking measures for the farther security of their religion and liberties, from any encroachments that might be made by the young king; accordingly the commission of the assembly made the following act at the *West-kirk* of *Edinburgh*, which I shall here insert.

Act of
 the West-
 Kirk.
 Hind let
 loose. p.
 106.

West-kirk, August 13. 1650. ‘ The commission of the
 ‘ general assembly, considering that there may be just
 ‘ ground of stumbling, from the king’s majesty’s refus-
 ‘ ing to subscribe and emit the declaration offered to
 ‘ him by the committee of estates and the commission
 ‘ of the general assembly, concerning his former carri-
 ‘ age and resolutions for the future, in reference to the
 ‘ cause of God, and the enemies and friends thereof,
 ‘ doth therefore declare, that this kirk and kingdom
 ‘ doth not own or espouse any malignant party, or quar-
 ‘ rel or interest, but that they fight merely upon their
 ‘ former grounds and principles, and in the defence of
 ‘ the cause of God, and of the kingdom, as they have done
 ‘ these twelve years past; and therefore, as they dis-
 ‘ claim all the sin and guilt of the king, and of his house,
 ‘ so they will not own him nor his interest, otherways
 than

‘ than with a *subordination* to God, and so far as he owns
 ‘ and *prosecutes the cause of God*, and disclaims his and
 ‘ his father’s opposition to the work of God, and to
 ‘ the *covenant*, and likewise all the enemies thereof;
 ‘ and that they will, with convenient speed, take into
 ‘ consideration the papers lately sent unto them by *Oli-*
 ‘ *ver Cromwel*, and vindicate themselves from all the
 ‘ falsehoods contained therein, especially in those things
 ‘ wherein the quarrel betwixt us and that party is mis-
 ‘ stated, as if we owned the late king’s proceedings,
 ‘ and were resolved to prosecute and maintain his pre-
 ‘ sent majesty’s interest, before and without acknow-
 ‘ ledgment of the sin of his house and former ways, and
 ‘ satisfaction to God’s people in both kingdoms.’

ALEX. KER.

The same day, *August* the 13th 1650. ‘ The com-
 ‘ mittee of estates having seen and considered a decla-
 ‘ ration of the commission of the general assembly a-
 ‘ gent the stating of the quarrel wherein the army is to
 ‘ fight, do approve the same, and heartily concur
 ‘ therein.

ALEX. HENDERSON.

These were doubtless things of hard digestion with
 his majesty, especially as at this time all his thoughts
 were bent to get in his old friends the *Hamiltonian* and
malignant faction; but he could not make the attempt
 now, for *Cromwel* was coming against him, and both
 church and state had declared themselves very plainly;
 wherefore CHARLES, the better to disguise his inteni-
 ons, emits a most remarkable declaration, from *Dum-*
fermling, on the 16th of *August* 1650. of which I give
 the following extract, as far as it relates to his former
 oath.

CHARLES R.

‘ HIS majesty taking into consideration that mer- The king’s
 ‘ ciful dispensation,----- by which he hath been declara-
 ‘ recovered out of the snare of evil counsel, ----- doth, in tion at
 ‘ reference to his former deportments, and to his reso- Dum-
 ‘ lutions for the future, declare as follows. fermling.
 ‘ Though his majesty, as a dutiful son, be obliged to Wo-
 ‘ honour the memory of his royal father, and have in drow.
 ‘ estimation the person of his mother, yet doth he de- Ap. N. 1.
 ‘ fire

' fire to be deeply humbled ----- before God, because
 ' of his father's hearkning to and following evil coun-
 ' sels, and his opposition to the work of reformation, and
 ' to the solemn league and covenant, ----- and for the i-
 ' dalatry of his mother, the toleration of which in the
 ' king's house, ----- could not but be a high provoca-
 ' tion to him, who is a jealous God, visiting the ini-
 ' quities of the fathers upon the children. And albeit
 ' his majesty might extenuate his former carriage and
 ' actions, in following the advice, and walking in the
 ' way of those who are opposite to the covenant and to
 ' the work of God, ----- yet knowing that he hath to
 ' do with God, he doth ingenuously acknowledge all his
 ' own sins, and all the sins of his father's house, craving
 ' pardon, and hoping for mercy and reconciliation,
 ' through the blood of Jesus Christ. -----

' And his majesty having, upon the full perswasion
 ' of the justice and equity of all the heads and articles
 ' thereof, now sworn and subscribed the national cove-
 ' nant, ----- and the solemn league and covenant, -----
 ' doth declare, that he hath not sworn and subscribed
 ' these covenants, and entred into the oath of God, with
 ' his people, upon any sinister intention and crooked design,
 ' for attaining his own ends, but, so far as human weak-
 ' ness will permit, in the truth and sincerity of his heart,
 ' and that he is firmly resolved, in the Lord's strength,
 ' to adhere thereto, and to prosecute, to the utmost of
 ' his power, the ends thereof in his station and calling,
 ' really, constantly and sincerely, all the days of his
 ' life. In order to which, he doth, in the first place,
 ' profess and declare, that he will have no enemies but the
 ' enemies of the covenant, and ----- no friends but the
 ' friends of the covenant: And therefore, as he doth
 ' now detest and abhorre all popery, superstition and idola-
 ' try, together with prelacy and all errors, heresy, and
 ' schism and profaneness, and resolves not to tolerate,
 ' much less allow any of these, in any part of his ma-
 ' jesty's dominions, but to oppose himself thereto, and
 ' to endeavour the extirpation thereof to the ut-
 ' most of his power: So doth he as a christian exhort,
 ' and as a king require, all such of his subjects as have
 ' stood in opposition to the solemn league and covenant,
 ' and work of reformation, upon a pretence of kingly
 ' interest, or any other pretext whatsoever, to lay down
 ' their enmity against the cause and people of God, and

‘ to cease to prefer the interest of man to the interest of
 ‘ God, which hath been one of those things which hath
 ‘ occasioned many troubles ----- and, being insisted in,
 ‘ will be so far from establishing the king’s throne, that
 ‘ it will prove an idol of jealousy to provoke ----- him
 ‘ who is King of kings, and Lord of lords. The king
 ‘ shall always esteem them best servants and most loyal
 ‘ subjects, who serve him and seek his greatness in a
 ‘ *right line of subordination* to God, giving unto God
 ‘ the things that are God’s, and unto *Cæsar* the things
 ‘ that are *Cæsar*’s; and resolveth not to love or coun-
 ‘ tenance any who have so little conscience and piety,
 ‘ as to follow his interest with a prejudice to the go-
 ‘ spel and the kingdom of Jesus Christ, which he looks
 ‘ not upon as duty, but as flattery, and driving of self-
 ‘ designs, under pretence of retaining royal authority
 ‘ and greatness.

*Given at our court at Dumfermling, August 16.
 1650. and in the second year of our reign.*

Now, who can compare these solemn oaths and pro-
 testations with this prince’s after-conduct without hor-
 ror, both on account of his wicked dissimulation and
 horrid perjury? It is alledged, that the necessity of his
 affairs forced him to these compliances. But surely he
 was one that had no sense of religion, in being capable
 of mocking God in this manner. When the reverend
 Mr. Gillespie put the pen in his hand, to subscribe the
 above declaration, he told him, ‘ That, if he was not sa-
 ‘ tisfied in his soul and conscience, beyond all hesitati-
 ‘ on, of the righteousness of the subscription, he was
 ‘ so far from over-driving him to run upon that for
 ‘ which he had no light, that he obtested him, yea,
 ‘ charged him in his master’s name, not to subscribe
 ‘ *that declaration*, no not for the three kingdoms.’ To
 which the king answered, *Mr. Gillespie, Mr. Gillespie,*
I am satisfied, I am satisfied, and therefore will subscribe it.
 The truth is, CHARLES could swallow any thing; for,
 notwithstanding the above declaration, measures were,
 at this time, concerting for bringing the *enemies* of the
covenant both into the army and judicatures, and to di-
 vide the *presbyterians* among themselves.

We have seen how CROMWEL invaded the country. *Battle of
 A good army was raised against him under the command
 of general Lesly, but it was entirely routed by Crom-
 wel at Dumbar on the 3d of September. The king was
 pleased*

Remarks

*Hind let
 loose.
 p. 87, 88.*

Neal.
p. 22.

pleased at this defeat of his subjects; for now he thought he would have an opportunity of accomplishing his design of getting the *Hamiltonians* and *Malignants* both into his armies and councils. *Clarendon* has a strange remark upon this. 'Never, says he, was victory obtained with less lamentation; for, as *Cromwel* had great argument of triumph, so the king was glad of it, as the greatest happiness that could befall him, in the loss of so strong a body of his enemies.' So that, according to the noble historian, his majesty looked upon his subjects as his enemies.

As the king was well received by the marquis of *Argyll*, so he professed, at this time, a great regard for his lordship, as appears from the following letter and declaration under his own hand, which I cannot but insert, that the reader may see what regard his majesty had afterward to his royal promises and engagements.

King's declaration
in favour
of *Argyll*.
Wodrow
p. 56.

HAVING taken into my consideration the faithful endeavours of the marquis of *Argyll*, for restoring me to my just rights, and the happy settling of my dominions, I am desirous to let the world see how sensible I am of his real respect to me, by some particular marks of my favour to him, by which they may see the trust and confidence which I repose in him: And, particularly, I do promise, that I will make him duke of *Argyll* and knight of the garter, and one of the gentlemen of my bed-chamber, and this to be performed when he shall think fit. And I do further promise him to hearken to his counsels -----
(worn out) ----- Whenever it shall please God to restore me to my just rights in *England*, I shall see him paid the forty thousand pounds sterling which is due to him. All which I do promise to make good upon the word of a king.

St. Johnstown,
24 Sep. 1650.

CHARLES R.

We shall afterwards see how these fine things were performed.

Rise of the
resolutions
and
protectors.
Wodrow
Intr. p.
3.

After the battle of *Dumbar* it was proposed that the restraints should be taken off, by which the *malignants* were hindered from serving his majesty. This was at first refused; but the defeat at *Hamilton*, falling out in a little time, was made a new argument for admitting of *malignants*

malignants into the army, because, as was alledged, the present standing forces were not sufficient for the defence of the kingdom, unless all the fencible men, without distinction, were raised. The king therefore wrote from *Perth*, where the parliament then sat, to the moderator of the commission, desiring him to call a commission, *pro're nata*, to give their judgment in this matter. The opposers of the *resolutions* alledged, that many members had no notice, and that the time for meeting was so soon after the notice, that the members could not attend.

When a quorum of the commission was met at *Perth*, The parliament inquired, 'What persons are to be admitted to rise in arms, and to join with the forces of the kingdom, and in what capacity for defence thereof, against the armies of the *sectaries*, who, contrary to the *solemn league and covenant*, and treaties, have most unjustly invaded, and are destroying the kingdom?' The parliament's question.

The commission, on the 14th of *December* 1650. answered, 'In this case of so great and evident necessity, we cannot be against raising all fencible persons in the land, and permitting them to fight against this enemy, for the defence of the kingdom, excepting such as are *excommunicated*, *forfeited*, notoriously profane or flagitious; or such as have been, from the beginning, or continue still, and are at this time, obstinate and professed enemies and opposers of the *covenant and cause of God*. And, for the capacity of acting, that the estates of parliament ought to have, as we hope they will have, special care, that, in this so general a concurrence of all the people of the kingdom, none be put in such trust and power, as may be prejudicial to the *cause of God*; and that such officers as are of known integrity and affection to the cause, and particularly such as have suffered in our former armies, may be taken special notice of.' The commission's answer.

Upon this answer some of the most considerable *malignants* were employed in the army. Some of the general officers, and more than half the colonels, were of this stamp, and not a few of them had been with *Montrose*: But their proceedings were very offensive to many ministers and *presbyteries*, particularly those of *Stirling* and *Aberdeen*. The reverend Mr. *James Guthrie* and Mr. *David Bennet*, Ministers at *Stirling*, in conjunction

44 The INTRODUCTION.

junction with the rest of that presbytery, wrote to the commission at their next meeting, declaring their dissatisfaction with their resolutions, which was likewise done by many other presbyteries. These two ministers spoke their mind with freedom and plainness, and preached against the public resolutions, as involving the land in a conjunction with the malignant party.

*The king
disappointed.*

About the end of this year matters were brought to that pass, that a considerable number of noblemen, gentlemen, and others, was to rise, and form themselves into an army under Middleton's command, and the king was to throw himself into their arms. Accordingly, all of a sudden, he withdrew from St. Johnstoun, and repaired to the place appointed. But, not finding things to answer his expectation, he returned to St. Johnstoun with major-general Montgomery, whom the committee of estates had sent after him. This was a plain proof that all his majesty's compliances were insincere. Middleton was excommunicated by the commission of the general assembly, and the sentence was pronounced by the said Mr. James Guthrie; however, the commission, at their next meeting, took it off.

*Crowned
at Scoon.*

Phenix.

Mean while, on the 1st of January 1651. king CHARLES II. was crowned at Scoon; the noble marquis of Argyll put the crown upon his majesty's head. After an excellent and suitable sermon preached by the reverend Mr. Douglass, from 2 Kings xi. 12, 17. the solemnity began with the king's most solemn renewing of the national and solempn league and covenant, in this manner. The king kneeled and lifted up his right-hand, before the three estates of the kingdom, the commissioners of the general assembly, and all the congregation, and, by his solemn oath, in presence of the almighty God the searcher of hearts, he assured and declared his allowance of the national covenant, and solempn league and covenant, promising faithfully to prosecute the ends thereof, and to establish the same with the presbyterial government, and the whole work of God, in all his dominions. Then he was presented to the people, and the question was put, whether they were willing to have him for their king, and submit to his authority? They expressed their willingness, by saying, God save king CHARLES II. After this he took the coronation-oath; and, when the sword was put into his hands, he was desired to receive the same for the defence of the faith of Jesus Christ and of

the true religion, according to the covenants, and for the ministration of justice, &c. which he accepted accordingly. Just before the crown was set upon his head, the minister prayed, That the Lord would purge the crown from the sins and transgressions of them that did reign before him : That it might be a pure crown ; that God would set the crown upon the king's head, &c. and then the marquis set the crown on his head. Upon this the noblemen came, one by one, and kneeling, with their hand touching the crown, swore, by the eternal and almighty God, to be true and faithful subjects, according to the national covenant and solemn league and covenant. Then the people's obligatory oath was proclaimed, whereby they all swore, by the eternal and almighty God, who liveth and reigneth for ever, to be true and faithful to the king, according to the national and solemn league and covenant. Being after this installed, and set upon the throne, the minister exhorted him to remember that his throne is the Lord's throne, 1 Chron. xxix. 23. And, being a COVENANTED king, he ought, under God, to rule for God ; and especially to beware that he made not the Lord's throne a throne of iniquity, to frame mischief by a law, even such mischievous laws as had been enacted by his predecessors, destructive to religion, and grievous to the Lord's people. Then the nobles, being called one by one, and kneeling before the king on the throne, and holding their hands between his hands, swore by the eternal and almighty God, who liveth and reigneth for ever and ever, to be true and faithful to the king, according to the national and solemn league and covenant. The solemnity was concluded with a solid and pertinent exhortation, both to the king and people, to keep the covenant, and beware of breaking it ; and both king and nobles were certified, that if the king, and they who were engaged to support his crown, shall conspire together against the kingdom of Jesus Christ, both the supporters and supported should fall together.

This was a very solemn action, and all the solemnities of it were so interwoven with the covenants, that it must be acknowledged, that never king and people under the sun could be more strictly bound to God, and to one another, than these were ; But his majesty, notwithstanding all these oaths and declarations, still persisted in his design of getting the malignants into the judicatures, as he had got them into the army. And, as Mr. James Guthrie and Mr. David Bennet preached openly

Messrs. Guthrie and Bennet decline the civil authority in matters ecclesiastical.

penly and faithfully against the *public resolutions*, so, in the month of *February*, the chancellor, by a letter, ordered them both to repair to *Perth* on the 19th, and to answer, before the king and the committee of estates, for their letter to the commission and *their doctrine*. The two ministers, on account of the indisposition of one of them, excused their appearing on that day, but promised to attend about the end of the week. Accordingly, on the 22d of *February*, they appeared at *Perth*, but gave in a *protestation*, signifying, that though they paid all due regard to his majesty's *civil* authority, yet they did not acknowledge his majesty, or their lordships, as proper judges of *their doctrine*, or of what concerned their ministerial calling; *that* being the province of the judicatories of the church. This matter was put off for some days, till the king's return from *Aberdeen*, and, in the mean time, the two ministers were confined to *Perth* and *Dundee*; whereupon, *February* 28th, they presented a second paper, containing a *protestation* to the same purpose with the former, though in stronger terms, and supported by a great many excellent arguments. After these protestations the king and the committee of estates thought proper to dismiss the two ministers, and to proceed no farther in this affair. However, we shall find that Mr. *Guthrie's declining the king's authority*, at this time, in matters ecclesiastical, was made a principal article in his indictment ten years after this.

Debates
concerning
the resolutions.

Mean while the commission of the assembly, finding their answer to the parliament's questions censured and condemned, published a warning, and a large answer to the letter from the presbytery of *Stirling*, in their own vindication. This occasioned many debates, especially as all ministers and preachers were, by the commission, discharged to speak or write against these *resolutions*. And an act was made, ordaining presbyteries to proceed, with the censures of the kirk, against those who should oppose them; and the copy of another act was transmitted to presbyteries, ordaining those who opposed the *resolutions* to be cited to the next assembly at *St. Andrews*: By which means many of these were prevented from being members of the assembly.

It is easy to see how agreeable this was to his majesty, who, notwithstanding his being a COVENANTED king, and sworn to maintain and promote *presbyterial* government,

government, yet hated presbytery, and would be glad of every thing that tended to its overthrow. Accordingly, while these things were a-doing, the gentlemen, who, by means of the former *resolutions*, had got into the army, next wanted to get into the judicatures, from which they were excluded by the *act of classes*. In order, therefore, to get this act rescinded, the king and parliament proposed the following question to the commission of the general assembly, ‘ Whether or not it be sinful and unlawful, for the more effectual prosecution of the publick *resolutions*, for the defence of the cause of the king and the kingdom, to admit such to be members of the *committee of estates*, who are now debarred from the publick trust, they being such as have satisfied the kirk for the offence for which they were excluded, and are since admitted to enter into covenant with us.’

Another query by the parliament.

The commission delaying their answer, on the 3d of April the moderator received a letter from the king and parliament, desiring the commission to meet at Perth on the 17th, not only to give a positive answer to the last query, but their judgment and resolutions, if it be sinful and unlawful to repeal the *act of classes*; and on the 23d they received another letter to the same purpose.

To both, which the commission, after some previous cautions, answered, ‘ As for the solemn league and covenant, the solemn acknowledgment and engagement, and former declarations emitted by this church, (which are set down as grounds in the narrative of the *act of classes*) we find they do not particularly determine any definite measure of time, of excluding persons from places of trust for bypast offences, but only bind and oblige accordingly to punish offenders, as the degree of their offences shall require or deserve, or the supreme judicatures of the kingdom, or others having power from them for that effect, shall judge convenient, to purge all judicatures and places of power and trust, and to endeavour that they may consist of, and be filled with such men as are of known good affection to the cause of God, and of a blameless christian conversation, (which is a moral duty commanded in the word of God, and of perpetual obligation) so that nothing, upon the account of those grounds, doth hinder, but that persons, formerly debarred from places of

The commission's answer.

‘ of power and trust for their offences, may be admitted
 ‘ to be members of the committee of estates, and the
 ‘ censures inflicted upon them, by the *act of classes*, may
 ‘ be taken off and rescinded, without sin, by the parlia-
 ‘ ment, in whose power it is to lengthen or shorten the
 ‘ time of their censures, as they shall find just and ne-
 ‘ cessary, providing they be men that have *satisfied the*
 ‘ *kirk* for their offences, have renewed and taken the
 ‘ *covenant*, and be qualified for such places, according to
 ‘ the qualifications required in the word of God, and
 ‘ expressed in the solemn *acknowledgment* and engage-
 ‘ ment, &c.’

The divi-
 sions that
 followed.

Upon this answer the *act of classes*, in all its articles, was repealed; so that great numbers formerly excluded were brought into parliament, nominated as members of the committee of estates, and made capable of places of trust; and in a little time the bulk of the *malignant* party got the management of all into their own hands.

Burnet,
 hist. p.
 55.

These resolutions and proceedings gave great offence to many godly and eminent ministers, and even to some Presbyteries. As they who adhered to the *resolutions* were called RESOLUTIONERS, so the opposers of them were called PROTESTORS and *Anti-resolutioners*.

‘ On the one hand it was said, that every government
 ‘ might call out all that were under its protection to its
 ‘ defence. This seemed founded on the law of nature
 ‘ and nations. And, if men had been misled, it was a
 ‘ strange cruelty to deny room for repentance: This
 ‘ was contrary to the nature of God and to the gospel,
 ‘ and was a likely mean to drive them to despair.----But
 ‘ the *protestors* objected, That, to take in men of known
 ‘ enmity to the cause, was a sort of betraying it, because
 ‘ it was putting it in their power to betray it; that, to
 ‘ admit them to a profession of repentance, was a profa-
 ‘ nation and a mocking of God. It was visible they
 ‘ were willing to comply, though against their consci-
 ‘ ence, only to get into the army; nor could they ex-
 ‘ pect a blessing from God on an army so constituted.’

And, says the bishop, *this mock penitence was indeed a mat-
 ter of great scandal*. And the following history will abundantly shew, that the *protestors* were not out in their sentiments; for these men afterwards did betray the cause, and persecuted those that maintained it.

The co-
 venant
 ratified.

However, when the parliament met, they thought proper, in the month of *June*, to ratify all the preced-
 ing

ing treaties, transactions, engagements and actions concluded and enacted by the king, whereby the same did pass into a perpetual law. And it was expressly provided, his majesty being present, 'That, in all succeeding parliaments, every member, before they entered upon business, should sign and subscribe the covenant, and without this the constitution of the parliament, and all they do, is declared void and null.' Thus the covenant became at last a fundamental constitution of the kingdom. Mr. Wodrow says, that the acts of this parliament were not printed, (as indeed that could scarce, in the then unsettled state of the kingdom, and especially of the court, be obtained) but that, from persons then alive, and several papers still extant, he was fully assured that such an act was made.

Wodrow
p. 22.

The general assembly met at *St. Andrews* in July, when the *anti-resolutioners* protested against the lawfulness of the assembly. Three of the subscribers were, after citation, deposed, and one suspended, and the actings of the commission approved.

Soon after this the king and his army marched into England, and, on the 3d of September 1651. were totally routed at *Worcester*, his majesty most narrowly escaping. By this blow his affairs were reduced to such an extremity, that he found himself obliged to remove from the kingdom, which with difficulty he accomplished, and retired to *France*. In the mean time, general *Monk*, who was left in *Scotland*, quickly reduced that kingdom to the obedience of the *English* republick.

The king
routed at
Worcester.

Soon after this, the just privileges of the church were infringed, and commissioners, chiefly of the independent persuasion, were sent into *Scotland* to visit the universities, and to settle an unlimited toleration and liberty of conscience, inconsistent with their ecclesiastical constitution, and contrary to the covenants. On the 26th of July 1652. a declaration was presented to the assembly in favour of the congregational discipline, and for liberty of conscience; but the faithful members (whom Mr. NEAL, in derision, calls the *stubborn assembly-men*) instead of yielding to the declaration, gave in a protestation against it. When the assembly met at *Edinburgh* next summer, and were just entering upon business, lieutenant-colonel *Cotterel* went into the church, and, standing upon one of the benches, told them, that no ecclesiastical judicatures were to sit there, unless by authority

Church-judicatures insisted.
Neal.

thority of the parliament of *England*; and, without giving them leave to reply, he commanded them to retire, and conducted them out of the west-gate of the city with a troop of horse and a company of foot, and enjoined them not to assemble any more *above three in a company*. In like manner, on the 10th of *April 1655*, the synod of *Perth* and *Stirling* was no sooner met at *Dumblain*, but it was dissolved, in a violent manner, by open force, (of which I have an account from the registers transmitted to me by a reverend minister of that synod;) for one lieutenant *Belvin* came with a band of soldiers, and commanded them to dismiss, alledging that he had orders from his superiors. But though the synod desired to see them, yet he absolutely refused, and, upon their demurring and delaying to obey orders, the soldiers laid hands on them, and thrust them violently out of the church. Thus were the liberties of the church invaded.

Mean while the unhappy differences between the *resolutioners* and *protestors* still went on, till at last, in the years 1655 and 1656. conferences were agreed on for an union, and the matter was carried up to *London* before *Oliver Cromwel*, who had usurped the government, and was declared *protector*, but without effect. However, both *resolutioners* and *protestors* agreed in this, that they were enemies to the *usurpation*, and loyal to the *king*, though it was not yet in their power to contribute any thing to his *restoration*, which they sincerely wished for *upon proper terms*. But, as they had little reason for their zeal in behalf of his interest, so they were ill rewarded for it, as shall be afterwards shewn.

*The king
embraces
popery.
Neal, Vol.
IV. p.
53.*

For, when the king arrived in *France*, he immediately threw off the mask of a *Presbyterian*, and never went once to the *protestant* church at *Charenton*, though they invited him in the most respectful manner: But lord *Clarendon* dissuaded him, because the *Hugonots* had not been hearty in his interest, and because it might look disrespectful to the *old church of England*. But the truth is, the court, not having a prospect of the king's restoration by the *presbyterians*, turned their eyes to the *Roman catholicks*, and many of the king's retinue changed their religion, as appears by the *legenda lignea*, published about this time, with a list of fifty three new converts, among

among whom were several names in *red capitals*, not to mention the KING himself, of whom father *Huddleston*, his confessor, writes in his treatise, intitled, *A short and plain way to the faith of the church*, published 1685. that he put it into the king's hand in his retirement; and that, when his majesty had read it, he declared *he did not see how it could be answered*. Bishop *Burnet* says, 'Before king CHARLES left *Paris*, (which was in p. 73. 'June 1654.) he changed his religion, but by whose 'persuasion is not yet known, only cardinal *de Retz* 'was in the secret, and lord *Aubigny* had a great hand 'in it. Chancellor *Hide* had some suspicion of it, but 'would not suffer himself to believe it quite. Sir *Allen Broderick*, when on his death-bed, sent doctor *Burnet* 'an account of this matter, which he believed was done 'in *Fountainbleau* before king CHARLES was sent to 'Colen.' And it is certain, says Mr. *Neal*, that he was reconciled to the church of *Rome* this year (1659.) at the *Pyrenean* treaty concluded between *France* and P. 232. *Spain*, whither he had repaired *incognito* to engage them in his interest. Here the king stayed twenty days, in which time he, with the earl of *Bristol*, and Sir. *H. Bennet*, embraced the *Roman* catholick religion; so that this covenanted king broke all his solemn engagements, and turned *papist*, before his *restoration*. However, his majesty, rightly judging that it was not his interest to avouch what he had done, by making an open profession of *popery*, as his brother afterwards did, still pretended to be a *protestant* himself, and to have a real concern for the *protestant* religion.

After *Cromwel's* Death, which happened *September 3*. *Crom-* 1658. things went pretty smooth, till the king, upon wel's his return, declared his displeasure with the opposers of death. the resolutions, some of whom were among the first of the sufferers in the tragical period of which I am to treat, while other honest *presbyterians* were afterwards made partakers with them.

Mean while *England* was embroiled in confusions. *England* In *April* 1659. RICHARD the young protector dissolv- in confusi- ed his parliament, and soon after was himself obliged on. to resign; after which matters took a new turn almost every month, till at last the whole government was managed by a committee of safety, appointed by the officers of the army; so that the *English* nation became sick of these changes, and willing to prefer any government to the

52 The INTRODUCTION.

the present anarchy. Many of the gentry, therefore, from several parts, sent letters to general *Monk*, inviting him to march his army into *England* to obtain a free parliament.

*Monk's
behaviour
in Scot-
land.
Wodr.
p. 4.*

Monk managed every thing in *Scotland*, apprehended and imprisoned the earls *Marshall*, *Montrose*, *Eglinton*, *Selkirk*, *Glencairn* and *Lowdown*, lord *Montgomery*, lieutenant-general *David Leslie*, viscount of *Kenmure*, lord *Lorn*, earl of *Seaforth*, Sir *James Lumsden*, colonel *James Hay*, earl of *Kelly*, major *Livingston*, and earl of *Roths*. Such of them as took the tender, and gave bond for their peaceable behaviour, were set at liberty. However, the general had a great share in the restoration of the royal family, which was now approaching.

*Mr.
Douglass
proposes
the resto-
ration.
Ibid. p.
3.*

In *Scotland* the reverend Mr. *Robert Douglas* was the first, says my author, as far as he could find, who adventured to propose the king's restoration to general *Monk*. It is said he travelled incognito in *England*, and in *Scotland* engaged considerable numbers of noblemen and gentlemen in this project.

*Monk
summonses
the com-
missioners,
&c.*

On the 19th of *October* the general assembled all the officers of the army in *Scotland*, and engaged them by oath to submit to and serve the parliament, cashiered all he suspected, and managed every thing according to his own mind, and then resolved to march up with his army to *England*, and restore the privileges of parliament. Before he departed, he ordered the commissioners of shires, magistrates of burghs, and many of the nobility, to meet him at *Edinburgh*. They assembled in the parliament-house *November 15*. He told them that he was to march to *England* to re-establish the liberties of parliament, and recommended to them to maintain the peace, and suppress all risings and commotions during his absence.

*Marches
to En-
land.*

On the 22d he marched towards *England*, and, when at *Haddingtoun*, received articles from the council in *England*. But these not-pleasing him, he returned with his officers to *Edinburgh*. Mr. *Douglas* met him, and interceded with him to attempt the restoration. After consultation, he and his officers rejected the articles, as contrary to their principles, which were to be governed not by the sword, but by a parliament lawfully called, in the maintenance of which they were engaged by oath. Accordingly he returned his answer on the 24th, and on the 2d of *December* he marched with his army

to *Berwick*, where he continued some time. On the 12th he sent orders to the commissioners of the shires for keeping the peace during his absence.

About this time *Portsmouth* and part of the fleet revolted, and declared for a *free parliament*, as did several detachments of the army, which made way for *Monk's* entring into *England*. The committee of safety, seeing all things in confusion, resigned their authority, and restored the parliament, which met on the 26th *December*, and named a committee to govern the army in their name, and under their direction.

Monk entred *England* with his army *January 2. 1660.* 1660. and some days after received a letter from the speaker, thanking him for his kind intentions, and insinuating, that he might save himself the trouble of coming to *London*, since the parliament was in peaceable possession of their authority: But this did not interrupt his march, since he designed a new, as well as a free parliament.

While matters were thus carrying on for bringing about the king's restoration, Mr. *David Dickson* and Mr. *Robert Douglas*, in their letter to general *Monk*, dated *January 10. 1660.* signified their entire confidence in him as to the affairs of *Scotland*, and the necessity of one from them to be near his person, to put him in mind of what should be necessary, and to acquaint them with the state of things from time to time. Accordingly they desired his pass for Mr. *JAMES SHARP*: But, before the receipt of this, the general ordered Mr. auditor *Thomson* to write from *York* to Mr. *Sharp*, and in his name to desire him to undertake a winter journey, and come to him at *London* with all speed; and on the 17th wrote to Messrs. *Dickson* and *Douglas*, assuring them, that the welfare of their church should be a great part of his care, and that he had sent a pass for Mr. *Sharp*.

When the general got to *Harborough*, commissioners came to him from *London* on the 23d, with an address to desire the re-admission of the members secluded 1648. and, as he continued his march, he received many addresses of the like nature; at last he entred the city of *London* in a sort of triumph, on the 3d of *February 1660.* After he had given orders for quartering his troops, he repaired to the council of state, but was refused admittance till he had taken the oath of abjuration, renouncing

Parliament restored.

Monk enters England. Rapin.

Sharp proposed to be sent to England.

Monk enters London. Rapin.

1660. ing the king's title to the crown, and engaging to be faithful to the parliament and common-wealth.

Addresses
the par-
liament.

On the 6th of *February* he went to the parliament, where, by the mouth of the speaker, he received the thanks of the house for his many services. He returned the compliment, and told them, among other things, that, as he marched from *Scotland*, several applications had been made to him for a *free* and *full* parliament, and that they would determine the time of their sitting, and likewise for the admittance of the members *secluded* before the year 1648. without any previous oath or engagement. And, proceeded the general, 'I must say, with pardon of you, that the less oaths and engagements are imposed (with respect had to the security of the common cause) your settlement will be the sooner attained to.' And, after he had recommended the case of *Ireland*, he proceeds, 'As for *Scotland*, I must say, the people of that nation deserve to be cherished; and I believe your late declaration will much glad their spirits; for nothing was to them more dreadful than a fear of being overrun with *fanatick* notions.'

Sharp
sent to
London
with in-
structions.
Wodr.

The same day that *Monk* was conducted to the parliament, several ministers met at *Edinburgh*, and agreed to send up Mr. *Sharp* to take care of the affairs of the church of *Scotland*. His instructions were these.

1. 'You are to use your utmost endeavours, that the kirk of *Scotland* may, without interruption or encroachment, enjoy the freedom and privileges of her established judicatures, ratified by the laws of the land. 2. Whereas, by the *late toleration*, which is established, a door is opened to very many gross errors and loose practices in this church, you shall therefore use all lawful and prudent means to represent the sinfulness and offensiveness thereof, that it may be timeously remedied. 3. You are to represent the prejudice the church doth suffer by the interverting of the vaking stipends, which by law were dedicated to pious uses, and seriously endeavour, that hereafter vaking stipends may be intromitted with by *presbyteries*, and such as shall be warranted by them, and no others, to be disposed of and applied to pious uses, according to the 20th act of the parliament 1644. 4. You are to endeavour that ministers, lawfully called and admitted by *presbyteries* to the ministry,

‘ nistry, may have the benefit of the 39th act of parliament, intituled, *Act anent abolishing patronages*, for obtaining summarily, upon the act of their admission, ‘ decreet and letters conform, and other executorial, ‘ to the effect they may get the right and possession of ‘ their stipends, and other benefits, without any other ‘ address or trouble. If you find that there will be ‘ any commission appointed in this nation, for settling ‘ and augmenting of ministers stipends, then you are ‘ to use your utmost endeavours to have faithful men, ‘ well affected to the interests of Christ and his ‘ church, employed therein.’ These instructions, directed to Mr. *James Sharp*, were subscribed by Messrs. *David Dickson*, *Robert Douglas*, *James Wood*, *John Smith*, *George Hutchison* and *Andrew Ker*. On the 13th Mr. *Sharp* arrived at *London*, met with a kind reception from Mr. *Manton*, and had immediate access to the general, who recommended him to Sir *Anthony Ashly Cowper* and Mr. *Weaver*, two members of Parliament. But, instead of following the instructions he received from his constituents, he treacherously betrayed that very cause he was sent to promote.

On the 21st of February *Monk* repaired to *Whitehall*, attended by the seclused members, who were mostly *presbyterians*, having made them previously to subscribe these four articles, 1. To settle the conduct of the armies, so as might best secure the peace of the commonwealth. 2. To provide for the support of the forces by sea and land, and money for their arrears, and the other contingencies of the government. 3. To constitute a council of state for the civil government of *Scotland* and *Ireland*; and to issue out writs for the summoning a parliament to meet at *Westminster* on the 25th of *April*. And, 4. to consent to their own dissolution, by a time that should be limited to them. But all this while the general, the better to disguise his real design, still professed himself to be against the restoration.

When the seclused members took their place in the house, they were superior in number to the rump, and so carried all before them. They annulled the engagement of 1649. ----- repealed the oath of abjuration of *CHARLES Stuart*, ----- ordered the earls of *Crawford* and *Lauderdale* to be set at liberty, ----- agreed to a bill, *March* the 2d, for approbation of publick ministers, and named Mr. *Manton*, and several others of the *presbyterian*

1660.

The seclused members restored. Tindal, note on Rapin, p. 615.

Their acts.

1660. *rian* persuasion for that service, which passed into an act *March* the 14th. They declared for the assembly's *confession of faith*, reserving the 30th and 31st chapters for farther consideration, declaring it to be the public *confession of faith* of the church of *England*; and the same day ordered the SOLEMN LEAGUE and COVENANT to be reprinted, and set up in every church in *England*, and read publickly by the minister once every year. And thus the re-establishment of *presbytery*, with the SOLEMN LEAGUE and COVENANT, was judged necessary for bringing in the king. After this the *long* parliament passed an act for their own dissolution, and for the calling a *new* parliament to meet the 25th of *April*; the candidates for which were to declare, under their hands, 'That the war against the late king was 'just and lawful, and that all who had assisted in a 'ny war against the parliament, since *January* 1. 1641. 'they and their sons were made incapable of being 'elected, unless they had since manifested their good 'affection to the parliament.' Then they appointed a *new council of state*, to take care of the government, and on the 16th of *March* dissolved themselves, after they had sat, with sundry intermissions, nineteen years, four months, and thirteen days.

Sharp's
dissimula-
tion.

All this time *Sharp* kept up his correspondence with *Mr. Douglas*, and acquainted him with the occurrences of the times, still professing a zealous concern for the interest of *presbytery*, and for the covenants. In his letter of the 4th of *March* he named five, whom he called *warping brethren*, and no friends to the *covenant-interest*, and that the great fear is, that the king will come in, and that with him *moderate episcopacy*, at the least, will take place in *England*. But the reverend *Mr. Douglas*, in his letter to *Sharp* of the 15th, says, among other things, 'We know by experience that *moderate episcopacy* (what can it be otherways than bishops with cautions?) is the next step to *episcopal tyranny*, which will appear very soon above-board, if 'that ground once be laid, &c.' But though *Mr. Douglas* insisted that commissioners should be sent from *Scotland*, yet *Sharp*, in his answer, declared, that this would be neither for their reputation nor advantage; and, in another letter after this, he says, 'I continue in 'my opinion, that *Scotland* should make no application 'till the king come in.' Thus *Sharp* managed affairs.

The

The elections for the new parliament, or rather CON-
VENTION, went generally in favour of the *royalists*; and
Mr. Neal says, that in some places men were chosen
who had no religion at all. They sat down on the
25th of *April*, and appointed the 30th to be observed
as a fast. And the next day the king's DECLARATION
from *Breda* was read in the house, granting a general
pardon to all his subjects who should lay hold on it
within forty days, except such as should be excepted by
parliament, and declaring a liberty to tender consciences,
and that no man shall be disquieted, or called in
question, for differences of opinion in matters of religion
which do not disturb the peace of the kingdom. Immediately
after reading this declaration, the commons voted, that,
according to the ancient constitution, the government of
this kingdom is, and ought to be, by king, lords and commons;
that the king of *Scotland* is king of *England*, &c. And a committee
was appointed to draw up a dutiful letter inviting his
majesty to return to his dominions; and a deputation of
lords and commons was sent to convoy him home. Thus the
king was invited back in a hurry, *without any terms*.

1660.
The king
invited
home
without
any terms.

Had the *presbyterians* in *England* exerted themselves,
as they might, on this occasion, in all probability the
miseries, that afterwards came upon themselves and the
whole nation, had been prevented. They had been kept
under since 1648. and being by this time weary of the
independents, and watchful to keep all republicans out
of the parliament, they secretly courted the *episcopali-
ans*, says Mr. Neal, who dispersed papers among the
people, protesting their resolutions to forget all past in-
juries, and to bury all rancor, malice and animosities.
In short, they put that confidence in them, which af-
terwards turned out to their own unspeakable disadvan-
tage; nay, the majority of them declared themselves sa-
tisfied to yield to a *moderate episcopacy*, according to the
plan of archbishop *Usher*; but the church of *Scotland*
stood to their principles.

Vol. IV.
P. 247-

In *April* and *May* the provincial synods met, and
there appeared a very good disposition towards making
up the differences between the *resolutioners* and *protes-
tants*, had not Mr. *Sharp*, by his letters from *London*, di-
verted this upon the king's return, and put him and the
managers about him upon beginning the persecution,
with attacking the *remonstrators* or *anti-resolutioners*. For

Synods in
Scotland
meet.
Wodr.

1660. this vile apostate had a private pique against the reverend Mr. *Samuel Rutherford*, Mr. *James Guthrie*, lord *Waristoun*, and others of the *protestors*, and therefore put the government upon those measures we shall afterwards relate, by which all attempts for a reconciliation were rendered abortive, till both were thrown into the furnace together. *Sharp* was joined in this by those noblemen who could not bear the scriptural strictness of the presbyterian discipline and government.

Mr.
Dou-
glas's
sermon.
Ibid.

The synod of *Lothian* sat down on the 1st of *May*, when Mr. *Douglas* preached an excellent sermon from *2 Cor. iv. 1.* where he bore an excellent testimony against *prelacy*, and warned his brethren against *moderate episcopacy*; for, says he, ' 'Tis a plant which God never planted, and the ladder whereby *ANTICHRIST* mounted his throne; ' and farther observes, that *kingly government* in the state, and *presbyterian* in the church, are the greatest curbs to profaneness; and so confuted that foolish proposition, *No bishop, no king*. He likewise bore his testimony against *sectarianism*, which he compared to *quick-sands* on the shore, which swallow up people before they are aware.

Sharp
goes to the
king.

P. 92.

The king was proclaimed at *London* on the 4th of *May*, and at *Edinburgh* on the 14th. Many at this time went to compliment his majesty; among others *Sharp* was sent, of whom Dr. *Burnet* writes thus. ' He carried with him a letter from the earl of *Glencairn* to *Hyde*, made soon after earl of *Clarendon*, recommending him as the only person capable to manage the design of setting up *episcopacy* in *Scotland*: Upon which he was received into great confidence. Yet, as he had observed very carefully the success of *Monk's* solemn protestations against the king, and for a commonwealth, it seems he was so pleased with the original, that he resolved to copy after it, without letting himself be diverted from it by scruples; For he stuck neither at solemn protestations, both by word of mouth and by letters, (of which there is a multitude in Mr. *Wodrow's* introduction) nor at appeals to God of his sincerity in acting for *presbytery*, both in prayers and on other occasions, joining with these many dreadful imprecations on himself if he did prevaricate. He was all the while maintained by the *presbyterians*, as their agent, and continued to give them a constant account of his negotiations in
their

their service, while he was indeed undermining it. 1660.
 This piece of craft was so visible, he having repeated
 his protestations to as many persons, as then grew
 jealous of him, that when he threw off the mask, a-
 bout a year after this, it laid a foundation of such a
 character of him, that nothing could ever bring
 people to any tolerable thoughts of a man whose
 dissimulation and treachery were so well known, and
 of which so many proofs were to be seen under his
 own hand.

The king landed at *Dover* May 26th, and on *Tues-*
day the 29th rode in triumph with his two brothers
 through the city of *London* to *Whitehall*, amidst the ac-
 clamations of an innumerable croud of spectators. As Calamy.
 he passed along, the *London* ministers in their places
 attended him with all demonstrations of joy, and by the
 hands of old Mr. *Arthur Jackson* presented his majesty
 with a rich embossed bible, which he was pleased to
 receive, and to declare it his resolution to make THAT
book the rule of his conduct. Thus was his majesty
restored; and we shall relate that he kept this *last* re-
 solution in the *same* manner that he observed all his
 other engagements.

*Abstract of the protest referred to p. 18. of the foregoing
 Introduction.*

AFTER apologizing for this step, they say,-----To
 your honours is our exhortation, that ye would
 endeavour-----to advance the building of the house
 of God, reserving always into the Lord's own hand
 that glory which he will communicate neither with
 man nor angel, *to wit*, To prescribe from his holy
 mountain, a lively pattern, according to which his
 own tabernacle should be builded; remembering al-
 ways, that there is no absolute-----authority in this
 world, except the sovereign authority of Christ,-----
 to whom it belongeth as properly to rule the church ac-
 cording to the good pleasure of his own will, as----to
 save her by the merit of his own sufferings: All other
 authority is so intrenched within the marches of divine
 commandment, that the least overpassing of the bounds
 set by God himself, bringeth men under the fearful ex-
 pectation of temporal and eternal judgments-----

Next, remember that God hath set you to be nur-
 sing fathers of the church, craving-----ye would ad-
 vance

vance-----that church which he hath fashioned-----but not that ye should presume to fashion-----a new portraiture of a church, and a new form of divine service, which God in his word hath not before allowed---as, namely, the estate of bishops---thereby ye should bring in ---the ordinance of man---which the experience of former ages hath shewed to be the ground of idleness----pride---tyranny and---ambition in the church of God; and, finally, to have been the ground of that antichristian hierarchy which mounted up on the steps of pre-eminence of bishops, until that man of sin came forth as the first ripe fruits of man's wisdom, whom God shall consume with the breath of his own mouth.-----

Above all things, my lords, beware to strive against God with an open and displayed banner, by building up again the walls of *Jericho*, which the Lord hath not only cast down-----but laid them under an----execration; so that the building of them again must needs stand to greater charges to the builders, than the re-edifying of *Jericho* to *Hiel the Bethelite*-----for he had nothing but the interdiction of *Joshua*.----But the states of this realm have the reverence of the oath of God, made by themselves, and subscribed with their own hands----to hold them back from setting up the dominion of bishops-----This pre-eminence of bishops is that *Dagon* which once already fell before the ark of God in this land, and no band of iron shall be able to hold him up again-----the institution of Christ was anterior thereto ----and shall stand within the house of God, when this new fashion of altar shall go to the door----Remember, my lords, that in times past your authority was for Christ----God forbid that ye should now leave off, and fall away from your former reverence born to Christ, in presuming to lead him whom the father hath appointed to be leader of you; and far less to trail the holy ordinances of Christ, by the cords of your authority, at the heels of the ordinances of men. ----- And albeit your honours have no such intention.----yet remember that spiritual darkness, flowing from a very small beginning, doth so insinuate itself into the house of God, as men can hardly discern by what secret means the light is dimmed; and darkness creeping in gets the upper hand, and in the end, at unawares, all is involved within a misty cloud of horrible apostacy.----

T H E

THE
HISTORY
OF THE
CHURCH OF SCOTLAND.

CHAP. I.

Of the apprehending of the marquis of Argyll; the proceedings of the committee of estates; the supplication of the ministers, and their imprisonment, and the sufferings of others, to the end of the year 1660.

WHEN king CHARLES II. was restored on the 29th of May 1660. never any prince came to the possession of such large dominions with greater advantages, to have done good to himself, to his sub-

The king's ingratitude, &c.

jects at home, and to his allies abroad: But he was no sooner placed on the throne, than, through the influence of evil counsel, and his own effeminate and vicious disposition, he abandoned himself to all manner of voluptuous pleasures, and in a little time became a persecutor of those very persons to whom he was obliged for being placed on the throne of his ancestors.

The *English* presbyterians were not long before they felt the dismal effects of their appearance for a monarch who had no sense of gratitude for their kind services, nor any regard to his most solemn oaths and engagements. And the church of *Scotland*, to whom he was so much indebted, and for the support and establishment whereof he had entred into *covenant*, was, in a little time, made to feel the direful consequences of *royal* dissimulation and perjury, though she had an undoubted claim to all manner of favour and protection.

On the 19th of *June* a thanksgiving was observed at *Edinburgh*, for the king's restoration, which began with seeming

A thanksgiving at Edinburgh.

1660. seeming devotion, and ended in open impiety. When the sermons were over, the city-magistrates and council, preceeded by his majesty's heralds and trumpeters, and different kinds of musick, and attended with the officers of state, a multitude of nobility and gentry, judges and others, went in procession to the cross, where, a large theatre being erected for that purpose, and a table covered, they drank to the health of the day with the utmost pomp and levity possible, the trumpets sounded, the bells rung, the guards fired, the very cross run with wine, and all manner of demonstrations of joy were shewed; from thence they repaired to the town-hall and chief inns in the city, where the evening was spent as if it had been a great sacrifice to *Bacchus*; a direful preface of the woful days a-coming, and a literal verification of that saying of the wisest of mere men, *Even in laughter the heart is sorrowful, and the end of that mirth is heaviness.*

Soon after the king's return, the noble marquis of *Argyll* was very much sollicitated to repair to court; and no doubt he was himself inclined to wait on a prince on whose head he had placed the crown. But several of his best friends, and particularly Mr. *Robert Douglas*, used many arguments to divert him from his purpose, till matters were come to some settlement, especially as his enemies at *London* had been at pains to raise calumnies on his lordship's person and conduct. However, *Argyll* being persuaded that he was able to vindicate himself from all aspersions, was he only admitted to his majesty's presence, set out for *London*, where he arrived on the 8th of *July*, and went directly to *Whitehall*.

When the king heard of his being come thither, he, * *Introd. notwithstanding his former promises* *, ordered Sir *William Fleming* to apprehend and carry him directly to the *Argyll* tower, where he continued under close confinement till committed he was sent to *Scotland*. This noble peer was one of the chief of the COVENANTERS, and had been singularly active in the reformation of his country from the insupportable yoke of *prelacy*.

Sent to From the tower he was conveyed in a man of war to *Scotland*, to be tried by the parliament. They landed at *Leith* on the 20th of *December*, and he was committed to *Edinburgh* castle the same day.

Swinton Sir *John Swinton*, one of the judges under *Cromwel*, apprehended who, from being a zealous professor of the reformation, turned

turned *quaker*, and had been apprehended in a *quaker's* 1660. house in *London*, was sent down to *Scotland* with the *marquis*.

While these things were a-doing, on the 14th of *July* Sir *James Stewart* and Sir *John Chiesly* ly orders came down to major-general *Morgan* to se- cure Sir *James Stewart*, provost of *Edinburgh*, Sir *Archibald Johnstoun* of *Waristoun*, and Sir *John Chiesly* of *Cariswell*, who protested against the death of king *Charles I.* and was knighted in the *Isle of Wight*. The first seized, and last were seized, but *Waristoun* escaped for some time. And therefore he was summoned by sound of trumpet to surrender himself, and the general issued a proclamation for apprehending him, promising 100 pounds *Scots* to any who should do it, and discharging all from concealing or harbouring him under the pain of treason. This was the first arbitrary step; for here is not only a reward offered by a general for apprehending a worthy gentleman, but declaring it treason for any to harbour him, and that without any cause assigned.

On the 26th of *July*, one *William Giffen*, or *Govan*, was apprehended, and committed to the castle of *Edinburgh*, upon a false information, that he had been on the scaffold when king *Charles I.* was beheaded.

About this time his majesty settled the ministry in *Scotland*. The earl of *Middleton* was declared his commissioner for holding the parliament, and general of the forces that were to be raised. The earl of *Glencairn* was made chancellor, the earl of *Lauderdale* secretary of state, the earl of *Roths* president of the council; the earl of *Crawford* was continued in the treasury, and *Primrose* was Clerk-Register. The rest depended on these: But *Middleton* and *Lauderdale* were two heads of the parties. Dr. *Burnet* farther says, that *Middleton* had a private instruction, to try the inclinations of the nation for *episcopacy*, and to consider of the best method for setting it up. If this be true, we may see what regard this prince had for the solemn engagements he had entered into.

How soon as the king had leisure to consider the state of *Scotland*, he issued a proclamation, dated at *Whitehall* the 2d of *August*, for the committee of estates, nominated by him and the parliament 1651. to meet at *Edinburgh* the 23d of that month, for managing the affairs of the kingdom till the parliament should meet.

James Stewart and Sir John Chiesly

A proclamation against Waristoun.

The ministry in Scotland. Burnet, p. 110.

Proclamation calling the committee of estates,

All

1660. All the members of this committee had appeared hearty professors of the true religion, had concurred with the king in taking the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT, and some of them had advised him to make that remarkable *declaration at Dumfermling* * in August 1650. So that every one might have expected some good from their administration; but their little finger became heavier than the loins of all the former oppressors, of which they gave a specimen on the very first day of their meeting.

Meeting of ministers. &c. at Edinburgh. Thus, upon the 23d of August, Messieurs James Guthrie at Stirling, John Stirling and Robert Trail at Edinburgh, Alexander Moncrieff at Scone, John Semple at Carsphairn, Thomas Ramsay at Mordingtoun, John Scot at Oxnam, Gilbert Hall at Kirklistoun, John Murray at Methven, and George Nairn at Bruntisland, ministers, together with Mr. Andrew Hay of Cragneithan, and James Kirkco of Sundiwell, elders, assembled at a private house in Edinburgh, to draw up an humble address and supplication to the king.

Occasion of it. The occasion of their meeting was this: The opposers of the *publick resolutions*, justly suspecting the designs now hatching against the church, and the conduct of Mr. Sharp at London, applied to the *publick resolutioners* either to concur with them in a dutiful address to his majesty, at such a conjuncture as this, or address him themselves: But they, confiding too much in Mr. Sharp, would not comply with either of these; and therefore these faithful men found themselves obliged to do something in such a crisis. Accordingly they met, and drew up a humble *supplication* and address, wherein they declared, ‘ how hateful the actings of the late u-

Their supplication and address. Wodr Vol. I. Ap. No. 2.

‘ surping powers were to them, in offering violence to
‘ the parliament of *England*, in murdering the late king,
‘ in secluding his majesty from his government, &c.
‘ and, above all, in their impious encroachments upon
‘ the kingdom and liberties of Jesus Christ-----how
‘ thankfully they acknowledged the Lord’s signal pre-
‘ serving his majesty’s person,-----and in bringing him
‘ back after a long exile.----How it was their sincere
‘ purpose and resolution, as it was their present prac-
‘ tice, to pour forth their fervent desires and supplica-
‘ tions for his majesty, hoping that he would allow
‘ them that protection, countenance and encourage-
‘ ment, which they had reason to expect from a graci-

ous

ous king.-----What dangers threatned religion, and 1660.
 the work of reformation in these kingdoms, from the
 designs and endeavours of the remnant of the *popish*,
prelatical and *malignant* party therein,-----to re-intro-
 duce *prelacy*, the *ceremonies* and the *service-book*, which
 were formerly cast out as inconsistent with that pure
 and spotless rule of church-government, discipline
 and worship in the word of God,-----and from the en-
 deavours of the spirit of error, that possesseth the *sec-*
taries in these nations,-----and therefore, with bowed
 knees and bended affections, they humbly supplicate
 his majesty, to employ his royal power, for the pre-
 servation of the reformed religion in the church of
 Scotland, in doctrine, worship, discipline and govern-
 ment, and for the reformation of religion in the king-
 doms of *England* and *Ireland*,-----and that all places
 of trust under his majesty might be filled with such as
 have taken the covenant, and are of approved integri-
 ty and known affection to the *cause of God*,-----and that
 his majesty would be pleased, for removing the begin-
 nings of stumbling that had already been given, to re-
 move the *ceremonies* and *service-book* from his own cha-
 pel and family, and other places of his dominions,
 and give publick signification of his approbation of
 the *covenant*, and of his purpose to adhere unto the
 same, which they put him in mind he had formerly
 done in a most solemn manner,----for it was the de-
 sire of their soul, that his majesty may be like unto
 David, a man according to God's own heart, to So-
 lomom of an understanding heart to judge the Lord's
 people, &c.

This is that which bishop Burnet calls a warm pa-
 per, in which, after some cold compliments to the king
 upon his restoration, they put him in mind of the cove-
 nant, &c. But the reader may judge whether they could
 well use *sincerer* expressions of loyalty. Did they put
 him in mind of any thing but what all honest and faith-
 full subjects ought to have done. Had not his majesty
 sworn to every thing, which, in the most respectful
 manner, they desired? Was there any thing treasonable,
 like a seditious reflecting on his majesty, or on the go-
 vernment of the kingdom of *England*, or the constituti-
 on of the present committee of estates?

The earl of Glencairn, the chancellor, and others,
 being informed of that meeting, sent some persons to

2660. apprehend those who were met together. They who were sent came upon them when the scrolls and other papers were before them. These papers were no other than the first draughts of letters to some brethren, desiring another meeting at *Glasgow*, in *September*, about the *supplication*, with instructions to some of their number, when they went west with a copy of the *supplication*, that it might be considered by the synod of *Glasgow*, in order to their joining with them in it, if they judged it needful.

The ministers imprisoned.

When the unfinished scrolls and supplication were read before the committee, they were directly sent to court, and all who had been present at the meeting, except Mr. *Hay* of *Craignethan*, who happily escaped, were committed to the castle of *Edinburgh*, without ever calling the ministers before them, or hearing what they had to say in their own defence. So great injustice, exercised towards those who were manifesting their love and respect to their prince, by putting him in mind of his most sacred engagements, and of the duty he owed both to God and his subjects, justly alarmed all the faithful in the land, especially the congregations, who were now rendred desolate.

Proclamation.

Next day the committee of estates published a proclamation against all unlawful and unwarrantable meetings and conventicles, without his majesty's special authority, and against all seditious petitions and remonstrances, under what pretext soever. But can the reader imagine that it was unlawful for a small number of ministers to meet in a private room, when their only design was to congratulate his majesty upon his being restored to the throne of his ancestors, and put him in mind of his duty? Or that it was a seditious petition and remonstrance, to intreat the king to observe his coronation-oath, when many used all their interest to get him to act a part inconsistent with what he had sworn in the presence of God?

The ministers under confinement agreed upon a petition, and sent it to the committee: But the chancellor insisted that they should acknowledge their fault in meeting upon the design they did. This they could not in conscience comply with, notwithstanding the advocate, who had taken the *tender*, and thereby renounced all allegiance to the king, when many of them were suffering for their loyalty, threatened to found a process

process of treason upon the *supplication*. And therefore 1660.
they continued a considerable time in prison ; at last
several of them were let out of the castle, and confined
to their lodgings in *Edinburgh*, till the sitting of the
parliament, when they were all liberated except Mr.
Guthrie, who remained in prison till a glorious martyr-
dom set him free.

During the proceedings of the committee, that vile Sharp
apostate Sharp arrived at *Edinburgh* on the last of *Autumn*.
gust, and next day delivered the following Letter from
his majesty, directed to Mr. *Robert Douglas*, to be com-
municated to the presbytery of *Edinburgh*.

CHARLES R.

TRUSTY and well-beloved, we greet you well. *King's*
By the letter you sent to us with this bearer Mr. *letter*.
James Sharp, and by the account he gave of the state of
our church there, we have received full information of
your sense of our sufferings, and of your constant af-
fection and loyalty to our person and authority : And
therefore we will detain him here no longer, of
whose good services we are very sensible, nor will we
delay to let you know by him our gracious acceptance
of your address, and how well we are satisfied with
your carriages, and with the generality of the mini-
sters of the church of *Scotland*, in this time of trial,
whilst some, under specious pretences, swerved from
that duty and allegiance they owed to us. And be-
cause such, who, by the countenance of usurpers, have
disturbed the peace of that our church, may also labour
to create jealousies in the minds of well-meaning peo-
ple, we have thought fit, by this, to assure you,
that, by the grace of God, we resolve to discounte-
nance profanity, and all contemners and opposers of
the ordinances of the gospel. We do also resolve to
protect and preserve the government of the church of
Scotland, as it is settled by law, without violation ;
and to countenance, in the due exercise of their
functions, all such ministers who shall behave them-
selves dutifully and peaceably, as becomes men of their
calling. We will also take care, that the authority and
acts of the general assembly at *St. Andrews* and *Dundee*
1651. be owned and stand in force, until we shall call
another general assembly, (which we purpose to do as
soon as our affairs will permit) and we do intend to
send

1660.

‘ send for Mr. Robert Douglas, and some other ministers, that we may speak with them in what may farther concern the affairs of that church. And as we are very well satisfied with your resolution not to meddle without your sphere, so we do expect that church-judicatures in *Scotland*, and ministers there, will keep within the compass of their station, meddling only with matters ecclesiastick, and promoting our authority and interest with our subjects against all opposers: And that they will take special notice of such, who, by preaching, or *private conventicles*, or any other way, transgress the limits of their calling, by endeavouring to corrupt the people, or sow seeds of disaffection to us or our government. This you shall make known to the several Presbyteries within that our kingdom: And as we do give assurance of our favour and encouragement to you, and to all honest deserving ministers there, so we earnestly recommend it to you, that you be earnest in your prayers, publick and private, to almighty God, who is our rock and our deliverer, both for us and for our government, that we may have fresh and constant supplies of his grace, and the right improvement of all his mercies and deliverances, to the honour of his great name, and the peace, safety and benefit of all our kingdoms. And so we bid you heartily farewell. Given at our court at *Whitehall*, the 10th of *August* 1660. and of our reign the 12th year.’

By his majesty’s special command.

LAUDERDALE.

Remarks. This letter seems to have been penned by *Sharp*; and, though calculated to lull all asleep till matters were ripe for a thorough change, yet there is in it an *innuendo*, as if some of the ministers had deviated from their duty: Howbeit, none of them had taken the tender, nor complied with the measures laid down by *Cromwel*, as *Sharp* did. The reader will likewise observe, that this covenanted king took care not to mention one word of the covenants, but only promised to protect the government of the church of *Scotland* as it is settled by law. And as for his calling an assembly, if it was intended, we are sure it was never performed. However, the presbytery of *Edinburgh* sent a loyal answer to the

the king's letter, with another to *Lauderdale*. But to 1660. return to the proceedings of the committee.

When his majesty's letter came down, it rather en-^{Proceed-}creased than lessened the committee's proceedings a-^{ings of the}gainst gentlemen and ministers. The brethren for the^{committee.} *publick resolutions* made too much of it; and those who opposed these resolutions were looked upon as enemies to the king, and therefore many of them were harrassed and imprisoned.

Thus, on the 14th of September, *John Graham* provost^{Several} of *Glasgow*, and *John Spreul* town-clerk there, were im-^{imprison-}prisoned, by their order, in the tolbooth of *Edinburgh*,^{ed.} because they were reckoned to favour the *remonstrance*. The next day, *Mr. Patrick Gillespie*, principal of the college of *Glasgow*, was made prisoner in the castle of *Edinburgh*, and afterwards sent to *Stirling* castle, where he continued till the parliament sat down. *Mr. William Wisheart* and *Mr. Robert Row* were confined to their chambers at *Edinburgh*, and within a few days *Mr. Wisheart* and provost *Jaffray* were imprisoned in *Edinburgh* jail; about the same time the reverend *Mr. James Guthrie* was sent from *Edinburgh* castle to *Stirling*, where he continued till near the time of his trial.

On the 19th of September a proclamation was publish-^{Procla-}ed against two noted books, viz. *Mr. Rutherford's* LEX^{mation a-} REX, and the *causes of God's wrath*, as if they contain-^{gainst lex}ed many things injurious to the king, and laid the foun-^{rex, and}dation and seeds of rebellion. But the truth is, the^{the causes} principles maintained in the first were never yet dispro-^{of God's}ved, and the facts in the other were directly contrary^{wrath.} to the measures now pursued; and therefore they were called in and burnt at *Edinburgh* by the common hangman.

Next day a proclamation was issued against all whom^{Procla-} the committee were pleased to call *remonstrants*, and^{mation a-} their adherents; by this the most zealous of the mini-^{gainst}sters were laid open to persecution, and many gentle-^{remon-}men of the best estates and greatest interest in the nati-^{strants.}on, who appeared for the *reformation* since the year 1637. and had given the greatest evidences of concern for the royal family, were now struck at, with a view to *model the elections* for the ensuing parliament to the mind of the court. Accordingly some were sommoned before the committee, and others confined, that their influence upon elections might be prevented. And if they

1660. they had any tolerable information against them, with respect to their compliances in the time of the usurpation, or their inclination to the remonstrance and protestation, they were to sign a bond obliging themselves to do nothing tending to the prejudice of his majesty's person, family, and authority,-----and that they shall not, in any time coming, directly or indirectly, own, promote, or abet the remonstrance under the highest pains.

Bond to
to be sub-
scribed.

On the 10th of October Sir Archibald Johnstoun of Warristoun, colonel Ker, colonel Barclay, John Hume of Kello, Robert Andrew of Little-tarbat, and William Dundas late supervisor, were declared fugitives by the committee.

Ministers
imprison-
ed.

Many ministers were at this time brought to trouble; particularly, on the 13th of October, Mr. John Dickson minister at Rutherglen was imprisoned at Edinburgh, upon an information given by Sir James Hamilton of Elistoun, of some expressions used in a sermon, which, as was alledged, reflected on the government and committee, and tended to sedition and division. Mr. James Nasmyth minister at Hamilton was imprisoned for words alledged to have been spoken by him many years ago, and Mr. James Simpson minister at Airth, when going to settle with a congregation in Ireland, was seized at Port-patrick, without any cause shewn him. Now it cannot be alledged that these persons suffered for rebellion or treason; for all of them owned the king's authority, and many of them had suffered much for his majesty when in exile. After this the committee adjourned for some days.

On the 1st of November a proclamation was published, with much solemnity, for holding a parliament at Edinburgh on the 13th of December following: But the king being engaged in several important affairs at London, the affairs of Scotland were postponed till the 31st of December, when his majesty's high-commissioner arrived at Holy-rood-house, and by that time all was ready for business.

I shall close this chapter by observing, that though, in November, George Campbell, sheriff-depute of Argyll, was imprisoned for being concerned in some things with the marquis, yet he was soon pardoned.

C H A P.

CHAP. II.

Of the acts of the first session of parliament, the conduct of the church judicatures, the sufferings of the marquis of Argyll, Mr. James Guthrie, and several others.

WE have had a short view of the arbitrary proceedings of the committee of estates, by which not a few suffered contrary to law : And therefore, the first step of the managers was, to open a door for a more legal prosecution of honest people, who stood up for religion, liberty and property.

Accordingly, when the parliament met upon the 21st of January 1661. they passed many acts, which were illegal, and subversive of the constitution both in church and state. To trace this matter more particularly--- The greatest part of the members of this parliament were men of a very infamous character. The commissioner, the earl of Middleton, was of a fierce and violent temper. Bishop Burnet says, *, ' His way of living was most splendid, but, at the same time, was most scandalous ; ' for vices of all sorts were the open practices of those ' about him.' The nobility and gentry were remarkably changed to the worse. Few that had been active in former years were now alive, and these few were marked out for ruin. Several of the leading managers finding that the strictness of the presbyterian discipline stood in the way of their licentiousness, took a disgust thereat : Besides, great pains had been taken at the elections, to get those chosen, who were entirely at the devotion of the court ; and if any of another disposition had been chosen, some pretence or other was made to set aside the election.

When they had taken their seats in the parliament-house, Mr. Robert Douglas preached an excellent sermon from 2 Chron. xix. 6. *Take heed what ye do, for ye judge not for man, but for the Lord, who is with you in the judgment.* After calling the rolls the earl of Glencairn was chosen preses, and the commissioner had a speech recommending peace and unity.

It is to be observed, that, according to former unpealed acts, the covenants were to be taken and subscribed by every member of succeeding parliaments, before they entred upon business ; but a new oath of allegiance, Oath of allegiance taken instead of the covenants.

1661. *ance*, or rather *supremacy*, being now imposed, the same was taken by all present, except the earl of *Cassils*; so that this parliament sat down and proceeded in a method directly contrary to standing laws.

Lords of
the ar-
ticles.

On the 8th of *January* the commissioner moved, that the parliament might proceed to business, in the ancient way, by the *lords of the articles*, without devolving their power on them, which he declared was not his intention; accordingly, after some debate, it was resolved, 'That 12 noblemen, 12 barons, and 12 burgesses, with the officers of state, shall be in the place of the lords of the articles. These were authorised, in their several meetings, to hear all matters presented to them, to receive proof of what they found relevant, and report to the parliament twice a week.' And to these the nation was chiefly indebted for the laws made in this session.

Flattering
preachers.

It is very evident that the main design of this parliament was to make the king absolute: And this was not a little promoted by the fulsome sermons preached by too many before them. The preachers were not then appointed by the *assembly* or *commission*, who used formerly to sit in time of parliament, but the king's advocate, by his letter, appointed what preachers he pleased. Their ordinary themes were the wickedness of rebellion, the extensiveness of the king's power, passive obedience, &c. and bishop *Burnet* says, Though they did not speak out, they insinuated the necessity of a *greater authority* than was then in the church for keeping them in order. One or two spoke plainer; upon which the presbytery of *Edinburgh* went to the earl of *Middleton* and complained of that, as an affront to the law and the *king's letter*. He dismissed them with good words, but took no notice of their complaints. It will not be amiss now to consider some of the acts made in this session of parliament, since they laid the foundation for all the injustice and cruelty that were exercised afterwards.

The first printed act is concerning the president and oath of parliament, by which it is enacted, That all members should, at their first down-sitting, take an oath of allegiance in the following form.

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Chap. 2.
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I ——— for testification of my faithful obedience to my 1661.
 I most gracious and redoubted sovereign CHARLES
 king of Great-Britain, France and Ireland, defender of the faith, do affirm, testify and declare, by this my solemn oath, that I acknowledge my said sovereign only supreme governor of this kingdom, over all persons, and in all causes; and that no foreign prince, power or state, nor person civil or ecclesiastick, hath any jurisdiction, power or superiority over the same; and therefore I utterly renounce and forsake all foreign jurisdiction, powers and authorities, and shall, to my utmost power, defend, assist and maintain his majesty's jurisdiction foresaid, against all deadly, and never decline his majesty's power or jurisdiction, as I shall answer to God.

Members of parliament were to add; and I shall faithfully give my advice and vote in every thing that shall be propounded in parliament, as I shall answer to God.

The title of the act calls it an oath of parliament, the body of it, an oath of allegiance; and it is evident that it includes the SUPREMACY. The words are general, but very comprehensive, and capable of different senses. Thus, when the king is affirmed to be *supreme over all persons and in all causes*, and to be assisted and maintained in that jurisdiction, this would require some limitation, restriction, or explication to clear the meaning; for though the commissioner and chancellor declared once and again, in the face of parliament, that they did not intend to give his majesty any *ecclesiastical*, but only a civil power, yet in a little time, when ministers offered to take the oath in this sense, they were not permitted. And it would seem these declarations from the throne were made from other views than at that time appeared; for, when the earl of *Cassils* and the laird of *Kilburny* moved that these declarations might be entred in the registers, it was peremptorily refused. In fine, this oath came to be the *Shibboleth* of the state, and in a little time was imposed upon all subjects of any influence.

By their 4th act they decree, that no *conventions, leagues, or bonds* be made without the sovereign. By the 6th act they declare the convention of estates 1643. who entred into the *solemn league and covenant*, void and null. By their 7th act they discharge the renewing of the *solemn league and covenant*, or any other covenants, or publick oaths concerning the government of the church or kingdom, without his majesty's special war-

1661. rant and approbation. By their 11th act it is ordered, that all persons in publick offices take the oath of *Allegiance* before mentioned, and subscribe a declaration asserting his majesty's royal prerogative; the substance whereof is as follows. ' Forasmuch as the
Instrument asserting the royal prerogative. ' estates of parliament-----have-----declared, that it is an inherent privilege,-----and an undoubted part of the royal prerogative of the kings of this kingdom, to have the sole choice and appointment of the officers of state, privy counsellors and lords of session; that the power of calling, holding and dissolving parliaments, and all conventions and meetings of the estates, doth solely reside in the king's majesty, his heirs and successors, and that-----no acts nor statutes, to be passed in any parliament, can be binding on the people, or have the authority or force of laws, without the special approbation of his majesty, or his commission.-----That the power of arms, the making peace or war, the making treaties with foreign princes and states, or at home by subjects among themselves, doth properly reside in the king's majesty, his heirs and successors, as their undoubted right, and *theirs alone*: And that it is high-treason in the subjects of this kingdom, or any number of them, upon whatsoever ground, to rise, or continue in arms, -----without his majesty's authority first interposed thereto. That it is unlawful for subjects, of whatsoever quality or function, to -----assemble themselves to treat or determine in any matters of state, civil or ecclesiastical, (except in the ordinary judgments) or to make leagues or bonds-----without his majesty's special consent. That the *league and covenant*, and all the treaties following thereupon,-----are not obligatory on this kingdom, or on the subjects thereof, to meddle or interpose, by arms or any other seditious way, in any thing concerning the religion and government of the churches of *England and Ireland*.---- And that none-----presume, upon pretext of any authority whatsoever, to require the renewing or swearing of the said *league and covenant*, or of any other covenants or publick oaths-----and that none offer to renew the same without his majesty's special warrant and approbation, &c. I do, conform to the acts of parliament aforesaid, declare, that I do, with all humble duty, acknowledge his majesty's royal prerogative

‘tive, right and power in all the particulars, and in the 1661.
‘manner aforesaid, and that I do heartily give my con-
‘sent thereto, by these presents subscribed by me at---.’

As the *oath of allegiance* before mentioned was in it- *Remarks.*
self unlawful, because, to swear *unrestricted* and *unlimited*
allegiance to any man, is a manifest enslaving of man-
kind to a servile obligation to maintain and uphold
the persons and government of mutable men, let them
act as they please; and because there is in it an ac-
knowledgment of universal *supremacy* inherent in the
king; so this instrument or declaration, asserting the
king’s prerogative, is equally so; for, 1. all in publick
offices hereby acknowledge an *absolute* and *unlimited* pow-
er in the king; 2. they renounce the *solemn* and *sacred*
covenants; and, 3. they condemn the most innocent
means of seeking redress of grievances; for they are
to declare it to be *treason for subjects, upon any pretence,*
to rise in arms, and unlawful for subjects to assemble to-
gether to treat of any matters of state, civil or ecclesiasti-
cal, without his majesty’s approbation: So that here all
defensive arms are condemned; and none of the judi-
catures of the church are to assemble but when the
king pleases. By this also a door was opened for the
utter overthrow of these judicatures, seeing the king is
declared to be the fountain of all church-power. And
therefore it was no wonder, though many of those, who
were bound by the *national covenant* and *solemn league*
and covenant, refused to take the *oath* or subscribe the
declaration; and it is evident, that they who suffered
for this refusal can never be said to suffer as evil do-
ers, but only for conscience sake.

One might think that the parliament had made suf- *The act*
ficient progress, for one session, in overturning *presby-terian* *rescissory.*
government and discipline; but they were deter-
mined to make all sure, and therefore, by their 9th act,
they annulled the parliaments and committees kept af-
ter the year 1648. and by their 15th act they annulled
all the parliaments that had been held betwixt the years
1640 and 1648. And thus they took away the greatest
human securities that could be given to a church and
nation. Bishop Burnet says of this last mentioned act,
what he might with equal reason have said of both,
namely, ‘That it was a most extravagant act, only p. 119.
‘fit to be concluded after a drunken bout. It shook
‘all possible security for the future, and laid down a
‘most

1661. 'most pernicious precedent.' When this *act rescissory* was brought in to the house by the lords of the articles, great debates arose upon it, so that it could not pass that night; however, after great struggle, it was carried next day.

Act concerning religion and church government.

By their 16th act, concerning religion and government, the true protestant reformed religion was ordered to be settled as it was before the year 1638. and the government of the church to be secured as the king finds most consistent with scripture, monarchy and peace. Hereby the king was set at the head of all ecclesiastical affairs; for the government of the church was entirely unfixed, and the settlement of it put into the king's power: And though sessions, presbyteries and synods were permitted for a few weeks; yet we shall see how their liberties were taken from them, and their proceedings violently interrupted, so that presbyterian government scarcely lived out this year.

29th of May
made an anniversary thanksgiving.

By their 17th act they ordained that the 29th of May be observed as an anniversary thanksgiving for the king's restoration, and be for ever set apart as an holy-day unto the Lord, &c. Though many gave obedience to this act, yet others could not in conscience submit to it, not only because it is not in the power of any, under heaven, to appoint anniversary holy-days, that being the prerogative of the creator alone, but also because, though the day was set apart, forever, to be kept holy to the Lord, yet diversions were appointed for spending the day after the publick worship was over,

Patronage act.

And the better to secure the model of their church-government, by the 36th act they restored the heavy grievance of patronages, which they knew had always been a dead weight upon, and inconsistent with presbyterial government. Nay, this act ordained all who shall be presented to take the oath of allegiance, before they were settled, under severe penalties. Instead of making any remarks upon this, I shall only lay before the reader what were the sentiments of the parliament of Scotland when they abolished patronages 1649. 'Considering (say they) that patronages and presentations are an evil and bondage under which the Lord's people and ministers of this land have long groaned, and that it hath no warrant in God's word, but is founded only on the common law, and is a custom popish, and brought into the kirk in time of ignorance and superstition,

perstitution, and that the same is contrary to the 2d 1661.
book of discipline, in which, upon sound and good
grounds, it is reckoned among abuses that are desired
to be reformed, and unto several acts of general assem-
bly; and that it is prejudicial to the liberty of the
people and planting of kirks, and unto the free cal-
ling and entry of ministers unto their charge.-----Ne-
vertheless this parliament not only restored patrona-
ges, but imposed the oath of allegiance and suprema-
cy on all ministers who should be presented.

Having thus considered some of the most remarkable
acts of this session of parliament, by which the constitu-
tion of the church was overturned, and a foundation
laid for introducing abjured prelacy, and prosecuting
all who should oppose the schemes then forming, it is
proper that we next take a view of the conduct of the
ministers and judicatures while these things were a-
doing.

Conduct
of the mi-
nisters,
&c.

It is too evident they did not make such a stand a-
gainst these encroachments as they might have done.
Some indeed, in their private capacity, bore an honour-
able testimony thereagainst, but very little was done
by *synods* and *presbyteries*. However, for the honour
of those who made any stand for the liberties of the
church, take the following account.

Mr. *Robert Douglas*, in his sermon at the opening of
the parliament, dealt very faithfully with the members;
and, in several parts of the country, ministers gave
full and faithful warning of the dangers threatening the
church of *Scotland*, particularly *Messieurs Robert Mac-
Ward at Glasgow, William Guthrie at Fenwick, and John
Livingston at Ancrum*, and not a few ministers kept con-
gregational fasts; but all this time very little was done
in a *judicative* capacity. Nevertheless the following
efforts were made, though they proved fruitless.

The parliament having passed several acts subversive
of the work of reformation, the brethren in and about
Edinburgh presented several overtures to the commissio-
ner, namely, that there might be an act of parliament
explaining the meaning of the oath of *allegiance*, that the
parliament would declare, that they had no intention
to annul or make void the *solemn league and covenant*,
and that they would approve and ratify the *confession of
faith and catechisms*, and the *directory for worship*, toge-
ther with the *discipline, government and liberties* of this
church.

Overtures
of the
ministers
in and a-
bout *Edin-
burgh*.

1661. church. These overtures the commissioner and chancellor promised to communicate to his majesty, and afterwards return an answer, and at the same time desired the brethren to draw up an act of ratification, as they would have it, and it should be considered. This was accordingly done, and given to the commissioner, but it all came to nothing; for the ministers were kept in hopes, and got fair words, till matters were past remedy; and, instead of this act of ratification, the act rescissory, above mentioned, was made and ratified.

Other efforts made by the ministers.

When the nature of this last act came to be known, the presbytery of *Edinburgh* prepared a supplication to the house, and sent it to the commissioner by three of their number; but partly by promises, and partly by threatnings, he prevailed upon them not to give it in that day, and presently the parliament met, and in all haste past the act. Upon which the presbytery, next day, sent Mr. *David Dickson*, and others, to the commissioner, to intreat access for having their supplication presented to the house, but all to no purpose. After this they sent their supplication to the king, which met with no regard: And when they heard of farther intentions to alter the government of the church, they wrote to the earl of *Lauderdale* to interpose with his majesty to put a stop to these proceedings, till all things be settled by a free and lawful general assembly; and in *March* following they sent up an information to court, representing, among other things, the inconvenience and sad consequence of a change in the government and constitution of the church; in which also they were disappointed; for the managers were resolved to please the high-flyers in *England*, to follow Mr. *Sharp's* ambitious designs, and to carry their project against all reason and justice.

Proceedings of synods.

Before *April* and *May*, when the synods were wont to meet, the parliament made great progress in their work. However, the synod of *Glasgow* and *Ayr* met on the 2d of *April*, and, taking the state of the church under consideration, they appointed a committee to draw up an address and supplication for a new security to religion and the church, seeing the old fences were taken away; and Mr. *William Guthrie* having read, from the committee, a draught of such address, some of the resolutions, especially those who were gaping after a bishoprick, vehemently opposed the supplication, and threatened

threatned to dissent, because they alledged that now 1661, was not a *proper time*; and therefore urged that this matter might be delayed; whereto others yielded, from a consideration, that without harmony their address would lose much of its weight: However, they agreed upon a declaration of their being fixed in, and resolved to adhere to the doctrine, worship, discipline and government of the church; but many were justly grieved that they made no mention of diocesan episcopacy, nor of the obligation of the *covenants*. When they met again at *Glasgow* in *May*, they were discharged by a proclamation from the *market-cross*. Thus were they deprived of an opportunity of considering their supplication. And though the ministers in town sent three of their number to *Edinburgh*, with a petition to his majesty's commissioner, yet no return was given to it. This was the last synod of *presbyterian* ministers who met at *Glasgow* before the year 1687.

On the 11th of *April* the synod of *Perth* and *Stirling* met, and, out of their excessive loyalty, ordered the *remonstrance*, which was drawn up by that synod 9th *October* 1650. and afterwards presented to the king and committee of estates, to be razed out of their records, as containing several things reflecting on his majesty and the estates. I shall only say, that it had been well if there had never been a cause for that remonstrance.

The synod of *Fife* met at *St. Andrews* in *April*, but, before they had formally voted their intended petition, and finished the warning they designed to give, they were interrupted by the earl of *Rothes*, appointed *inspector* by the commissioner. His lordship came in, while they were in the midst of their business, commanded silence in the king's name, required they would insist no more upon what was before them, and dismiss immediately: accordingly they obeyed, *without protesting* against such a plain invasion of the liberties of Christ's house: However, the presbyteries in their bounds, at their first meeting, approved of what the synod could not get finished; and all of them, in a very solemn manner, declared their adherence to the principles of the church of *Scotland*.

This new Office of *inspector of synods* had no act of parliament for its constitution; and, though it had, that could not justify the same, there being no precedent for it in the word of God; but that was what our managers did not consult. They were much vexed that synods should

The office of inspector.

1661. should bear a testimony against their proceedings, and therefore *these* were appointed as *spies*, in order to dissolve them when they determined to petition against threatening grievances, as was the practice when *prelacy* was first introduced, after the *reformation*, in the time of king JAMES VI.

Synods dissolved.

Accordingly the synod of *Dumfries* was dissolved by *Queensberry* and *Hartfield*, who were both drunk at that very time. The synod of *Galloway* was dissolved by the earl of *Galloway*, as they were drawing up a supplication against *episcopacy*; but the moderator, Mr. *John Park*, faithfully *protested* against what was done, as an injury to a court of Jesus Christ, and the ministers would not remove till he prayed and regularly concluded their meeting.

Synod of Lothian.

In the synod of *Lothian* they were not suffered so much as to speak of any testimony; nay, some of the members, who were ripe for a change, and devoted to the interest of the managers, moved that the *protestors* should be censured. While this was in debate, the earl of *Callendar* and Sir *Archibald Stirling* came in, and required the moderator to purge the house of rebels, meaning the *protesting* ministers, else they would *dissolve* them, and make them answer before other judges. Upon this the synod suspended five ministers of great piety, viz. Messieurs *Alexander Livingston* at *Biggar*, *John Greg* at *Skerling*, *Arch. Porteous* and *James Donaldson* in the presbytery of *Biggar*, and *Gil. Hall* at *Kirkliston*. They likewise removed two from their charges, upon the application of some malignant and disaffected persons in their parishes, viz. Mr. *William Weir* at *Linlithgow*, and Mr. *Will. Greighton* at *Bathgate*. Mr. *Weir*, refusing to deliver up to the magistrates the church-emoluments and registers, was put into the *thieves hole* by provost *Glen*; and, after being some time in that dungeon, he was carried to a room in the palace, where he was kept six weeks, till, at last, he was forced to make the best terms he could. But, notwithstanding all this sinful compliance of the synod, because the majority would not yield to some proposals made in favour of *prelacy*, they were dissolved in the king's name, and forced to dismiss without prayer.

Northern Synods.

In the northern synods the *protestors* began to feel the oppressions of the times. I only mention, that Mr. *Thomas Hog*, minister at *Kiltearn*, was deposed by the synod

synod of *Rofs*; who sat down the beginning of this year, 1662, for refusing judicially to disown and disclaim the *protestation*. At the same time a motion was made for deposing Mr. *James Frazer* of *Liny* from his Office as ruling elder, but what was the issue of it I know not.

By this time we may see the dismal consequences of admitting *malignants* into places of power and trust, and what efforts were made against the before named encroachments. It is certain more might have been done, there being as yet no law against their meetings, or their petitioning for a redress of those grievances that were coming upon them. However, the generality of the ministers were against *Prelacy*. Bishop *Burnet* says, *The synod of Aberdeen* (at which he was present) was the only body that made an address looking towards E- p. 120; *EPISCOPACY*.

It is now proper that we give an account of what many suffered during this session of parliament, when we shall find some attacked in their name and reputation, others in their liberties, and others in their lives; such as the noble marquis of *Argyll*, the reverend Mr. *James Guthrie* and Mr. *Govan*.

We noticed that the marquis was committed to the castle of *Edinburgh* the 20th of *December* last.

On the 13th of *February* this year his lordship was brought to the bar of the house, where Sir *John Fletcher*, the king's advocate, accused him, in common form, of high treason; and, producing an indictment, craved that it might be read. The marquis himself begged liberty to speak before that was done: But the house refused his reasonable desire, and ordered it to be read; and though he entreated them to hear a petition he had to present, yet that was too great a favour to be granted.

The indictment, which was more months in forming than *Argyll* had days allowed at first to bring in his defences, consisted of 14 articles, wherein a heap of slander, perversion of matters of fact, and misrepresentations, are collected together against this good and great man.

1. That he rose in arms against the king's good subjects, the anti-covenanters; and said to Mr. *John Stuart*, that it was the opinion of many divines that kings might be deposed. 2. That he marched with an armed force and burnt the house of *Airlie*. 3. That, in 1640. he besieged and forced his majesty's castle of *Dumbarton* to surrender to him.

L

4. That

1661.

4. That he called, or ordered to be called, the convention of estates 1643. and entered into the solemn league and covenant with England; levied subsidies from the subjects, and fought against his majesty's forces. 5. That, in 1645. he burned the house of Menstrie. 6. That, in 1646. he, or those under his command, besieged and took the houses of Towart and Escoge, and killed a great many gentlemen. 7. That he marched to Kintire, and killed 300 MacDonalds and MacCouls in cold blood, and transported 200 men to the uninhabited isle of Jura, where they perished by famine. 8. That he went to London and agreed to deliver up the king to the English army at Newcastle, upon the payment of 200,000 l. pretended to be due for the arrears of the army treasonably raised 1643. 9. That he protested against the engagement 1648. for relieving his majesty; raised an army to oppose the engagers; met with Oliver Cromwell; consented to a letter wrote to him on the 6th of October, and to the instructions given to Sir John Chiesly to the parliament of England; and, in May following, signed a warrant for a proclamation against the lords Ogilvie and Rae, the marquis of Huntley, John now earl of Middletoun, declaring them, their wives and families, to be out of the protection of the kingdom. 10. That he clogged his majesty's invitation to the kingdom of Scotland 1649. with many unjust limitations; consented to the murder of the marquis of Montrose; corresponded with Cromwell; contrived and consented to the act of the West-kirk 1650. and the declaration following upon it. 11. That, in 1653. and 1654. he abetted, or joined with, or furnished arms to the usurper's forces, against Glencairn and Middletoun, and gave remissions to such as had been in the king's service. 12. That he received a precept from the usurper of 12,000 l. sterl. consented to the proclamation of Richard Cromwell; accepted a Commission from the shire of Aberdeen, and sat and voted in his pretended parliament. 13. That he rebuked the ministers in Argyll for praying for the king. 14. That he positively advised Cromwell and Ireton, in a conference 1648. that they could not be safe till the king's life was taken away; at least he knew and concealed that horrid design.

Proceed-
ings a-
gainst him

After the indictment was read the marquis had leave to speak, and discoursed, at some considerable length, to exceeding good purpose. The parliament fixed the 26th of February for bringing in his defence, which was too short a time for replying to a charge consisting of

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so many particulars. However, at his request, they protracted it till the 5th of *March*, when he appeared before the *lords of the articles*, who ordered him immediately to produce his defence; whereupon he made a very moving speech, and gave in a most affecting petition, remitting himself to the king's mercy, and beseeching the parliament to intercede for him, which are too long to be inserted here.

Next day, being brought before the parliament, it was reported from *the articles*, that he had offered a submission to his majesty, with a desire that the parliament might transmit it to the king; but his submission was voted not satisfactory, and he was commanded to give in his defences next day to the *lords of the articles*. When he came before them, and told that his defences were not yet ready, he was appointed to give them in on *Monday, April* the 9th, otherways the lords would take the whole business before them, without any regard to what he should afterwards say. But it seems, on the day appointed, his defences were given in, wherein the marquis's management is vindicated from all the falsehoods, calumnies and misrepresentations in the indictment. Mr. *Wodrow* does not give an abstract of them, because they contain thirteen sheets of small print, but inserts a paper which contains the substance of them, of which I give the following abbreviate.

Information for my lord Argyll against the dittay given in against him by the king's advocate.

‘ **T** HE deeds alledged to be done, either before, or since his majesty left *Scotland*, were either of a publick or private concern. As for the publick, he never acted without the approbation of parliament and general assemblies, which were ratified by their late and present majesties. As to particular persons, he was never accessory to any thing but what is warranted by acts of parliament, approved by his majesty and his royal predecessors. As for actings, after his majesty left *Scotland* 1651. the marquis was still a prisoner on demand, and did never capitulate till *August* 1652. being surpris'd in his house lying sick, and that long after the deputies had taken the TENDER, ----- and all others in arms had capitulated, and the whole kingdom was-----under the power-----of the usurper.

1661.

W

Information for my lord Argyll.

‘ The

1661.

1. ' The first deed is a speech in 1640.-----where it is affirmed that he said, It was the opinion both of divines and lawyers that *a king might be deposed*.-----
- ' But it is not relevant to infer any crime, though those words had been spoken in the abstract terms related, no more than if any should speak the tenet of the *Sorbonne* or *canon law*, upon the pope's power.-----
- ' This deed is 1640. the act of oblivion 1641.
2. ' The 2d deed is the slighting the house of *Airlie*.---
- ' It is answered, These houses were kept out in opposition to the committee of estates, and so might be destroyed-----and the said service had the approbation of parliament 1641. *rege presente*-----the king being present.
3. ' The 3d deed is the taking the castle of *Dumbarton*.-----
- ' This was done by order of the committee of estates, and before the act of oblivion.-----
4. ' As to the calling of a convention of estates, and going into *England* with an army.---- This was done by the conservators of the peace, secret council, and commissioners of publick burdens, appointed by the king,---and ratified in parliament since,---and was allowed by the king in his agreement at *Breda*, and by his act of oblivion 1651.
5. ' As to the burning of *Menstrie* by his command, he denies any such command. Whereas it bears by men under his command, there is no law to make that treason, nor is it relevant or reasonable; for *noxa caput sequitur, & delicta suos tenent auctores*. It was remitted by the act of oblivion 1651. And general *Baillie* had the command, whose service in that expedition was approved in parliament 1646. And though he had done this, he had commission from the parliament 1644.
- 6 and 7. ' As to the taking of *Towart* and *Escoje*, and murdering a number of men after capitulation, it is answered, The marquis was not in the country, but in *England*, at that time. To the murdering of 200 men after the taking of *Dunavertie*, it is answered, That *David Leslie* had the command there, and what was done was by a council of war, and *Leslie's* service was approved by the parliament 1648---That my lord *Argyll* caused take 200 persons from *Islay* to *Jura*, where they perished. This is false; for he

knew

knew nothing of the matter, nor ever heard of it 1661.
till he received his dittay.

To the giving up of the king at *Newcastle*, it is answered, It was a parliament deed, and-----a voice in parliament cannot be censured--- But the truth is, my lord *Argyll* was not in *Scotland* when the king came to the *Scots* army at *Newark*---neither did the marquis ever meddle in that affair, but in the parliament 1647.

As to the protest in parliament 1648. calling in the *sectarian* army, writing to *Cromwell*,--- and emitting a proclamation against certain families, it is answered, That there was no protest, but a declaration, before the vote, that the assembly ought to be consulted anent the engagement. --- As for the letter, no answer can be given till the letter be seen; and though there was a letter in the terms libelled, yet it is an act of the committee; and as matters went, the army being lost at *Preston*, and the enemy lying on the border, if they had demanded the strengths of the kingdom,--- it would not have been refused. --- Besides, he never saw *Cromwell* till 1648. and he was called in by the committee, and the marquis did what he could to stop his career. As to the---proclamations, nothing can be said till they be produced. ---

To the clogging his majesty's proclamation, murdering *Montrose*, corresponding with *Cromwell*, and his accession to the act of the *West-kirk* and declaration, it is answered, That it was the act of the parliament then sitting by which the first allegation was done, and the king acknowledged that to be good service, by admitting the marquis to places of trust, and accepting the crown from him.---As to *Montrose*, he had no accession to his death, or the manner of it. ---His corresponding with *Cromwell* is false--- As to the act of the *West-kirk*, the marquis was at no committee of the kirk after his majesty's happy arrival, until they came to *Perth*, nor did he know of it. --- As to the declaration--- he advised the king to go as far as he could; but would not advise him, for the world, to sign the declaration against his mind--- and desires the duke of *Buckingham* and the earl of *Dumfermling*'s depositions may be taken herein, and his sacred majesty consulted as to the truth hereof.

1661.

11.

‘ To the opposition to *Glencairn* and *Middletoun*, when appearing for their king, and his joining with the *English*, — it is answered, That their commission was never intimated to him, — that he sent to *Middletoun* to have a conference, but received no answer. — As to joining the *English* in their expedition to the hills, he denies any joining with them; but being a prisoner, and required to be with them, he durst not refuse; and denied any kind of acting either by counsel or deed. — As for taking pay from the *usurper*, for a foot-company, — general *Monk* allowed payment for 100 soldiers to guard the country, and because they did not oppose the forces in the hills the general discharged payment. —

12.

‘ As to the assisting at *Richard Cromwell*’s proclamation, his receiving a precept of 12,000 *l. sterling*, and sitting in the parliament of *England*, it is answered, He was not at all at *Richard*’s proclamation, but by command, indeed, he was at *Oliver*’s, but not at *Dumbarton*. Being *Monk*’s prisoner he was commanded to come to the *English* council, and assist at the proclamation, and could not refuse, without having his life and fortune made a prey. No law can make this a crime, far less treason; and it cannot be instructed, from any history, that a people overcome by an enemy, and commanded to do outward deeds of subjection, were ever questioned by their lawful prince when he hath pardoned the invader; or that the subject should be prosecuted for doing what he, being a prisoner, could not refuse, without hazarding life and fortune. The 12,000 *l.* is falsely adduced. The parliament of *Scotland* gave the marquis, in payment of just debts, half of the excise on wine and strong waters. — As for his sitting in the parliament of *England* after so long an usurpation, no precedent can be shewn, in any age in this country, whereby this was made a crime, far less treason. —

13.

‘ To his forbidding to pray for the king, and the rest of the alledged speeches, it is answered, They are false and calumnious. His parish-minister and chaplain did always pray for the king in the time libelled, and that in the face of the *English*. —

14.

‘ The last head: It is basely false, and he opposes thereto the marquis’s oath given in parliament 1649.

and

and leaves it to all to judge how unlikely and im-
probable it is that he would speak any thing contra-
ry to the oath that he had sworn.

1661

From this information some tolerable view may be
had of the defences of this worthy peer. Mr. *Wodrow* ^{proofs}
declares that he had it from a very good hand, that up-^{fail.}
wards of thirty different libels were formed against him,
for alledged injuries, oppressions, and the like; but, when
they went to prove them, they all came to nothing, so
that, after their most diligent search, they were forced
to fix upon his necessary compliance with the *English*,
after *Scotland* had been obliged to yield to the conquer-
ors. Bishop *Burnet* says, that, in one speech, excus-
ing his compliance with *Cromwell*, he said, What could
he think of that matter, after a man so eminent in the
law as his majesty's advocate had taken the engage-
ment? This inflamed the other so much, that he called
him an *impudent villain*, and was not so much as chid
for that barbarous treatment. Lord *Argyll* gravely
said, he had learned, in his afflictions, to bear reproaches;
and if the parliament saw no cause to condemn him, he was
the less concerned at the king's advocate's railing.

P. 123

When he was brought to the bar to receive his sen-
tence, on the 25th of *May*, the house was very thin; ^{Argyll}
for all withdrew except those who were resolved to fol-^{sentenced}
low the course of the times. He put them in mind
of the practice of *Theodosius* the emperor, who enacted,
that the sentence of death should not be executed till
thirty days after it was passed; and added, *I crave but*
ten, that the king may be acquainted with it. This was
refused; and he was told that he must receive the par-
liament's sentence kneeling. He immediately kneeled,
and said, *I will in all humility.* Then the sentence was
pronounced, 'That he was found guilty of high-trea-
'son, and adjudged to be execute to the death as a
'traitor, his head to be severed from his body, at the
'cross of *Edinburgh*, upon *Monday* the 27th instant,
'and affixed on the same place where the marquis of
'*Montrose*'s head was formerly, and his arms torn be-
'fore the parliament and at the cross.' Upon this he
offered to speak; but, the trumpets sounding, he stopped
till they had ended, and then said, 'I had the honour
'to set the crown upon the king's head, and now
'he hastens me to a better crown than his own.' And,
'directing

His behav-
iour.

1661: directing himself to the commissioner and parliament, he said, ' You have the indemnity of an earthly king among your hands, and have denied me a share in that ; but you cannot hinder me from the indemnity of the king of kings, and shortly you must be before his tribunal. I pray he mete not out such measure to you, as you have done to me, when you are called to account for all your actings, and *this* among the rest.'

Remarks. As for his compliance with *Cromwell*, it was so far from being treasonable, that the advocate himself, and other lawyers, had actually taken the *engagement*, and many of the members of this parliament were equally guilty. Was it not therefore strange, that a parliament should condemn one for a crime of which so many of themselves were guilty, and that, of all the compliers in *Scotland*, not one was prosecuted but this noble peer? What law will make *compliance with a conqueror*, for the good and safety of the country, after all means of defence are taken away, an act of treason? It is therefore certain that the sentence passed against the marquis was without all warrant of law. But it seems it was necessary the foundation of *prelacy*, and of those arbitrary measures now on foot, should be laid in blood.

Sent to the common prison. The marquis, after his sentence, was ordered to the common prison, where his excellent lady was waiting for him. Upon seeing her he said, *They have given me till Monday to be with you, my dear, therefore let us make for it.* She, embracing him, wept bitterly, and said, *The Lord will require it, the Lord will require it.* Which drew tears from all in the room. But, being himself composed, he said, ' Forbear, forbear, truly I pity them ; they know not what they are doing. They may shut me in where they please, but they cannot shut out God from me. For my own part, I am as well content to be here as in the castle, and as content in the castle as in the tower of *London*, and as content there as when at liberty ; and I hope to be as content upon the scaffold as any of them all, &c.

His carriage in prison. He spent all his short time, till *Monday*, with the greatest serenity and cheerfulness, and in the proper exercises of a dying christian. He said to some ministers who were permitted to attend him, ' That shortly they would envy him, who was got before them ;

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‘and added, Mind that I tell it you, my skill fails me, if you who are ministers will not either suffer much, or sin much; for though you go along with those men in part, if you do it not in all things, you are but where you were, and so must suffer; and if you go not at all with them, you shall but suffer.’ At his own desire his lady took her leave of him on *Sabbath* night. On *Monday* morning, though he was much engaged in settling his affairs, and in the midst of company, yet he was so overpowered with a sensible effusion of the joy of the Holy Ghost, that he broke out in a rapture, and said, ‘I thought to have concealed the Lord’s goodness, but it will not do; I am now ordering my affairs, and God is sealing my charter to a better inheritance, and just now saying to me, *Son, be of good cheer, thy sins are forgiven thee.*’ Sometime before he went to the place of execution, he wrote a most moving letter to the king, and dined precisely at twelve with his friends with the utmost cheerfulness, and then retired a little in secret. Upon his opening the door, the reverend Mr. *Hutchison* said, *What cheer, my lord?* He answered, ‘Good cheer, Sir; the Lord hath again confirmed, and said to me, from heaven, *Thy sins be forgiven thee.*’ Upon this tears of joy flowed in such abundance, that he retired to the window and wept there; from that he came to the fire, and made as if he would stir it a little to conceal his concern, but all would not do, his tears ran down his face; and, coming to Mr. *Hutchison*, he said, in a perfect rapture, ‘I think his kindness overcomes me; but God is good to me, that he lets not out too much of it here; for he knows I could not bear it. Get me my cloak, and let us go.’ Upon receiving notice to come down, he called for a glass of wine, and asked a blessing upon it standing, and in a very little said, *Now let us go, and God go with us.*

When he took leave of those in the room, who were His execution. not to be with him on the scaffold, he said, ‘I could die like a *Roman*, but chuse rather to die like a *christian*. Come away gentlemen, he that goes first goes cleanliest.’ When going down stairs, he called the reverend Mr. *James Guthrie*, who at parting addressed the marquis thus, ‘My lord, God hath been with you, he is with you, and will be with you; and such is my respect for your lordship, that, if I were not under the

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‘ sentence

1661. ' sentence of death myself, I could cheerfully die for
 ' your lordship.' So they parted, to meet again in a
 better place, on the *Friday* following. The marquis,
 attended by several noblemen and gentlemen all in
 black, mounted the scaffold with the greatest serenity
 and gravity, like one going to his father's house, and
 saluted all that were upon it. Then Mr. *Hutchison*
 prayed. After that his lordship delivered a moving
 and pertinent speech with the utmost composure, in
 which, among other things, he said, ' I was real and
 ' cordial in my desires to bring the king home, and in
 ' my endeavours for him when he was at home, and
 ' had no correspondence with the adversary's army,
 ' nor any of them, when his majesty was in *Scotland*;
 ' nor had I any accession to his late majesty's horrid
 ' and execrable murder—— I shall not speak much to
 ' these things for which I am condemned, lest I seem
 ' to condemn others. It is well known it is only for
 ' compliance, which was the epidemical fault of the
 ' nation. I wish the Lord to pardon them: I say no
 ' more:——God hath laid engagements upon *Scotland*:
 ' —— We are tied by covenants to religion and refor-
 ' mation.—— Those that were then unborn are yet en-
 ' gaged:——And it passeth the power of all the magi-
 ' strates under heaven to absolve from the oath of God.
 ' —— These times are like either to be very sinning
 ' or very suffering times, and let christians make their
 ' choice. There is a sad dilemma in the business, *sin* or
 ' *suffer*; and surely he that would chuse the better
 ' part, will chuse to suffer: Others that will chuse to
 ' sin, shall not escape *suffering*.'——When he had de-
 livered his speech, which is recorded at length in * *Naph-
 tali*, Mr. *James Hamilton* prayed: After him his lord-
 ship prayed himself, and then took his leave of all his
 friends on the scaffold, and having given the execution-
 er an handkerchief with some money, and small presents
 to his friends, he went to the instrument called *The mai-
 den*, kneeled down most cheerfully, and after he had
 prayed a little he gave the signal, whereupon his head
 was severed from his body, and then placed on the west
 end of the tolbooth, as a monument of the parliament's
 injustice and the land's misery. His body was deli-
 vered to his friends, and decently interred. Thus di-

ed

* A book intituled *Naph tali*, or, *The wrestlings of the church of Scot-
 land*.

ed the noble marquis of *Argyll*, the proto-martyr for 1661.
religion after the *restoration*, who was a great promoter
of and support to the *covenanted work of reformation* dur-
ing his life, and stedfast in witnessing to it at his death.

I am next to relate the martyrdom of the reverend
Mr. *James Guthrie* minister at *Stirling*---Mr. *Guthrie* was
son to the laird of *Guthrie*, a very ancient and honour-
able family. For some time he taught philosophy in
the university of *St. Andrews*, where he gave sufficient
proof of his being a good philosopher and an exact
scholar. Though bishop *Burnet* says he was a resolute
and stiff man, yet my author assures us, that his temper
was very stayed and composed, and would reason upon
the most controverted points with great solidity, and,
when every one about him was warm, his temper was
never ruffled; and that he had, perhaps, the greatest
mixture of fervent zeal and sweet calmness of any in his
time. He was entirely *prelatical* in his judgment when
he first came to *St. Andrews*; but, by conversing with
the reverend Mr. *Rutherford* and others, and especially
by his joining the weekly societies there, for prayer
and conference, he was entirely brought off from that
way.

Mr. Gu-
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racter.

His conduct in the years 1650. and 1651. was now See p.
remembered: But the real spring of the hard measure 44, 45,
this excellent man met with, was the sentence of excom- 46.
munication, which, by appointment of the commission
of the general assembly, he had pronounced against the
earl of *Middletoun* in the year 1650. which *Middletoun*
never forgot; and his personal resentment abundantly
discovered itself in his trial before the parliament.

In the beginning of the year 1661. Mr. *Guthrie* was
brought to *Edinburgh*, and had his indictment given
him for high-treason by the king's advocate. It was
read before him in the house on the 20th of *February*.
The heads of it were, 1. ' His contriving, consenting
' to, and exhibiting before the committee of estates,
' the paper called the *Western Remonstrance*. 2. His
' contriving, writing and publishing that abominable
' pamphlet called, *The causes of God's wrath*. 3. His
' contriving, writing and subscribing a paper called,
' *The humble petition*, of the 23d of *August* last, when
' he was apprehended. 4. His convocating of the
' king's lieges at several times without warrant or
' authority, to the disturbance of the peace of the

His in-
dictment.

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state and of the church, 5. His declaring his majesty, by his appeal and *protestation*, incapable to be judge over him, which he presented at *Perth*. And, 6. some treasonable expressions he was alledged to have uttered in a meeting 1650. or 1651.' The curious reader will find the whole of his indictment and his defences at large in Mr. *Wodrow's* appendix.

His indictment being read, he made an excellent speech to the parliament, of which I shall insert the following brief abstract,

My Lord Chancellor,

Abstract
of his
speech.

I Being indicted---upon things alledged to be seditious and treasonable, humbly desire,---that my lord commissioner---will patiently, and without interruption, hear me as to a few things I have to say for myself.---I am glad that the *law of God* is named in the first place ;---I hope your lordship, in all your proceedings, will have most respect to this, that I may be judged by the law of God *especially*, and by other laws in *subordination* thereto.

As to those laws---mentioned in the indictment, concerning his majesty's royal prerogative,---I hope---they are to be understood according to the sense and meaning given by posterior acts of parliament,---and---by our *solemn publick vows and covenants*, contracted with God by his majesty and his subjects.---I am first charged, in general, of sundry seditious and treasonable *remonstrances*, &c. To which I say, that *generalia non pugnare* ; they can have no strength in the inferring of a crime or guilt, except---they are instanced in particulars.'

One thing there is in the general charge that I cannot, and ought not to pass, to wit, that I have seditiously and traiterously purposed the *eradicating and subverting of the fundamental government*, &c.---It is an unjust charge ; there was never any such purpose or design in my heart.---As I had never any compliance with the councils or designs of the late usurping powers against his majesty's royal father or himself,---so there was no part of their ungodly and unjust actings, but I did, in my station and calling, bear open and publick testimony against, both by word and writing. My lord,---I can hardly refrain expressing some grief of spirit, (here he gives an account of what he suffered under the usurpation) ' that,

notwithstanding all those things, I should now stand indicted before your lordships, as intending the eradicating and subverting of the ancient civil government of this nation.--The God of heaven knows that I am free of this charge, and I defy all the world, allowing me justice and fair proceeding, which I hope your lordships will, to make out the same against me. 1667.

The first particular wherewith I am charged,--- is, that I did compile and draw up a paper, commonly called *The remonstrance*, and presented it, or caused it to be presented to his majesty and committee of estates the 22d of *October* 1650.---I never did compile or contrive that *remonstrance*, nor did I present it, or cause it to be presented---then, or at any other time. I indeed, being a member of the commission of the *general* assembly, when they gave their judgment upon it, did dissent from their sentence, which cannot be reckoned any culpable accession thereto, every man being free, without hazard of punishment, to give his judgment freely in the judicature whereof he is a member. 1.

The next particular I am charged with, is the book of *The causes of God's wrath*, especially the 5th and 6th articles.---But I humbly profess to your lordship, and this honourable court of parliament,--- 1. That---my accession thereunto did not flow from any disrespect unto, or dissatisfaction with his majesty's person or government,---but merely and singly from a contraining power of conscience, to be found faithful, as a minister of the gospel, in the discovering of sin and guiltiness, that it being taken with, and repented of, wrath might be taken away from the house of the king, and from these kingdoms.--- Next, my lord, I wish it may be seriously pondered, that nothing is asserted in these *causes*, as matters of sin and duty, but what hath been the common and received doctrine of the church of *Scotland*. 2.

The 3d particular---is the *supplication* at *Edinburgh*, *August* the 23d, to which I acknowledge my accession, but deny it to be treasonable or seditious, because---it doth contain nothing but a humble petition concerning those things to which his majesty and all the subjects of this kingdom are engaged, by the solemn and indispensable oath of the *covenant*, with a sober and serious representation of the danger that threatens 3.

1661.

threatens religion — The indictment is pleased to say, that I charged his majesty with *disimulation* and *perjury*; but there is no such thing in the *supplication*, which doth only put him in remembrance of holding fast the *oath* of the *covenant*.

4.

As to what is alledged against the lawfulness of our *meeting* — That meeting cannot fall within those acts of parliament that strike against unlawful conventions; because every meeting, for business in itself lawful, is agreeable to the word of God and the laws of the land, and, when kept without tumult and multitude, such as that was, needs no particular warrant from authority: — Yea, such meetings are clearly exempted from a breach of those acts of parliament, by a posterior act of parliament, *viz. Act 29. Parl. 2. Charles I.*

5.

As to the last particular in my indictment, *viz. my declining* his majesty's authority, I confess I did decline the civil magistrate as a competent judge of ministerial doctrine in the *first* instance. His authority in all things civil I do with all my heart acknowledge. — But that the declining of the civil magistrate's being a judge of minister's doctrine, in the first instance, may appear not treason and sedition, but lawful and warrantable, I humbly offer, 1. That such *declinatures* are agreeable to — God's word, and to the confession of faith, and doctrine of this church confirmed and ratified in parliament — And therefore it hath been the ordinary practice of this kirk, in such cases, to use such *declinatures* since the time of the *reformation* from *popery* — 2. Such *declinatures* are agreeable to, and founded upon the *national covenant*, and *solemn league and covenant*, by which the king's majesty *himself*, and all the subjects of this kingdom, are bound to maintain the doctrine, worship, discipline and government of this church. — Upon these grounds I did give in, and do assert that *declinature* for vindicating the crown, dignity and royal prerogative of Jesus Christ, — but with all due respect to his majesty, his greatness and authority.

As to that act of parliament 1584. it was made at a time when the *settled* government of this church — was *wholly overturned* — and hath been often *repealed* — and stands *repealed* now at the down-sitting of this parliament. It was reversed 1592. — and by the

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' the 4th Act, Parl. 2. Charles I.----and by the 6th Act, 1661.
' Parl. 2. Charles I. —

' The sum of what I have said I comprise in these
' two. 1. That I did never purpose, or intend to speak
' or act any thing disloyal, seditious or treasonable, a-
' gainst his majesty's person, authority or government,
' God is my witness.--Next--I have founded my speech-
' es, and writings, and actings in those matters, on the
' word of God, and on the doctrine, confessions of faith,
' and laws of this church and kingdom, upon the *national*
' *covenant of Scotland*, and the *solemn league and cove-*
' *nant between the three kingdoms of Scotland, England*
' *and Ireland*. If these foundations fall, I must fall
' with them; but if these sustain and stand in judgment,
' as I hope they will, I cannot acknowledge myself,
' neither, I hope, will his majesty's commissioner, and
' the honourable court of parliament, judge me guilty
' of sedition and treason, notwithstanding any thing
' contained in the indictment.'

This pointed and pathetical speech had some influ-
ence upon several of the members of the house; but
his death was designed. It was resolved, says bishop
Burnet, to make a publick example of a preacher, and p. 126.
so he was singled out.

On the 11th of *April*, when the process against him ^{*His in-*}
was read in the house, he immediately delivered a ^{*dictment*}
speech, so affecting and close to the purpose, which, ^{*found re-*}
though it had not that influence that might have been ^{*levant.*}
expected, made such impressions upon many of the
members, that they withdrew, declaring to one an-
other, as they went out of the house, that they would
have nothing to do with the blood of this righteous
man: But his judges were determined to proceed, and
accordingly, at that very time, his indictment was
found relevant. Bishop *Burnet* says *, ' The earl of * p. 127.
' *Tweeddale* was the only man that moved against put-
' ting him to death. He said, banishment had been
' hitherto the severest censure that had been laid on the
' preachers for their opinions,---yet he was condemned
' to die,' though the day of his execution was not
named till the 28th of *May*, when the parliament or-
dained ' Mr. *James Guthrie* and *William Govan* to be ^{*His sen-*}
' hanged at the cross of *Edinburgh*, Saturday June 1st, ^{*tence.*}
' and the head of the first to be affixed on the Ne-
' *sher-bow*.

1661. *ther-bow*, his estate to be confiscate, and his arms torn, and the head of the second on the *West-port* of the *city of Edinburgh*. A gentleman, who was present at the trial, told my informer, one of the present ministers of *Aberdeen*, that when Mr. Guthrie received his sentence upon his knees, he rose up with cheerfulness, and thus addressed the parliament, *My lords, may never this sentence more affect you than it does me, and let never my blood be required of the king's family.*

The iniquity of this sentence is very obvious: Nay, the king himself was so sensible of his good services to him and his interest, when at the lowest, and of the parliament's severity, that, when he got notice of it, he asked with some warmth, *And what have you done with Mr. Patrick Gillespie?* It was answered, that Mr. Gillespie had so many friends in the house, his life could not be taken. *Well*, said the king, *if I had known you would have spared Mr. Gillespie, I would have spared Mr. Guthrie.* But had his majesty known his true interest, he would have put the management of his affairs into other hands.

His execution.

P. 127. Mr. Guthrie was in a most serene frame all the time between his sentence and during his execution on the 1st of June. Dr. Burnet, who was present at his execution, observes, that he was so far from shewing any fear, that he rather expressed a contempt of death; that he spoke an hour upon the ladder, with the composedness of one delivering a sermon, rather than his last words. His last speech and testimony is in *Naphtali*, where, among other things becoming a martyr for the cause of Christ, he saith, 'One thing I would warn you all of, that God is — very wroth with *Scotland*, and threatneth to depart and remove his candlestick. The causes of his wrath are many, and would to God it were not one great cause, that causes of wrath are despised — Consider the case that is recorded, *Jer. xxxvi.* and the consequence of it, and tremble and fear. I cannot but also say, That there is a great addition of wrath. 1. By that deluge of profanity that overfloweth all the land — in so far that many have lost not only all use and exercise of religion, but even of morality — 2. By that horrible treachery and perjury that is in the matter of the covenant and cause of God, and work of reformation. *Be astonished, O ye heavens, at this, &c.*

3. Horrible

3. Horrible ingratitude. The Lord, after ten years
 'oppression——hath broken the yoke of strangers from
 'off our necks, but——the fruit of our delivery——
 'is to work wickedness, and strengthen our hand to
 'do evil. 4. A most dreadful——sacrificing to the
 'creature. We have changed the glory of the incor-
 'ruptible God into the image of a corruptible man, in
 'whom many have placed almost all their salvation
 '——and have turned that which might have been
 'a blessing——into an idol of jealousy, by preferring
 'it before him. God is also wroth with a generation
 'of carnal, corrupt, time-serving ministers. I know,
 'and bear testimony, that in the church of *Scotland*
 'there is a true and faithful ministry——and I
 'pray you to honour——these for their works sake
 '——But oh, that there were not too many who
 'mind earthly things, and are enemies to the cross of
 'Jesus Christ, who push with the side and shoulder,
 'who strengthen the hands of evil doers, who make
 'themselves transgressors, by studying to build again
 'what they did formerly *warrantably* destroy, I mean,
 'prelacy, and the *ceremonies* and the *service-book*, a my-
 'stery of iniquity that works amongst us, whose steps
 'lead unto the house of the great whore BABYLON,
 'the mother of fornications: Or whosoever else he
 'be that buildeth this *Jericho* again, let him take
 'heed of the curse of *Hiel the Bethelite*, and of that
 'flying roll threatned *Zech. v.* &c. —— I do bear
 'my witness unto the national covenant of *Scot-*
 '*land*, and solemn league and covenant betwixt the
 'three kingdoms. —— These sacred, solemn, publick
 'oaths of God, I believe, can be loosed nor dispensed
 'with by no person, or party, or power upon earth,
 'but are still binding upon these kingdoms, and will
 'will be for ever hereafter, and are ratified and sealed
 'by the conversion of many thousand souls since
 'our entering thereinto. I bear my witness to the
 'protestation against the controverted assemblies, and
 'the publick resolutions. —I take God to record, up-
 'on my soul, I would not exchange this scaffold with
 'the palace or mitre of the greatest *prelate* in *Bri-*
 '*tain*. Blessed be God who hath shewed mercy to
 'such a wretch, and has revealed his Son in me, and
 'made me a minister of the everlasting gospel, and
 'that he hath deigned, in the midst of much contra-

1661. ' diction from Satan and the world, to seal my ministry upon the hearts of not a few of his people; and especially in the station wherein I was last, I mean the congregation and presbytery of *Stirling*. — Jesus Christ is my light and my life, my righteousness, my strength and my salvation, and all my desire. Him! O him, I do with all the strength of my soul commend unto you, — *Bless him, O my soul! from henceforth, even for ever.*' He concluded with the words of old *Simeon*, *Now let thy servant depart in peace, since mine eyes have seen thy salvation.*

W. Govan executed.

At the same time was executed the above mentioned *William Govan*, in some papers called captain *Govan*, who was reckoned a pious good man. There were different accounts of the reasons why the parliament condemned him. In his last speech he says, It was for laying down his arms at *Hamilton*, as all the company did; and takes notice, that he carried up *Montrose's* standard through the streets of *Edinburgh*. It was alledged that he was present on the scaffold when king *Charles I.* was beheaded; but, to the conviction of all, he proved himself to be elsewhere. His last speech, being omitted in *Naphtali*, is inserted by *Mr. Wodrow* in his appendix. When he went up the ladder, he said, ' Dear friends, pledge this cup of suffering before you sin, as I have done: For sin and suffering have been presented to me, and I have chosen the suffering part.' The rope being about his neck, he said, ' Now I am near my last, and I desire to reflect on no man; I would only acquaint you of one thing: The commissioner and I went out to the field together for one cause; I have now the cord about my neck, and he is promoted to be his majesty's commissioner, yet for a thousand worlds I would not change lots with him, praise and glory be to Christ for ever.' After he again prayed a little, he gave the sign, and was turned over. He concluded his last speech with these words: ' I bear witness with my blood to the persecuted government of this church, in general assemblies, synods and presbyteries, and also to the protestation against the publick resolutions. I bear witness to the covenants national and solemn league, and now am to seal them with my blood. I likewise testify against all popery, prelacy, idolatry, superstition, and the service-book: For I have not ta-

' ken

ken a little pains in searching out those things, and have found them to be but the relicks of *Romish* superstition and idolatry, left in king *Henry VIIIth's* time. 1661.

Mr. *Wodrow* says it was confidently affirmed, that some weeks after Mr. *Guthrie's* head had been fixed upon the *Nether-bow* port, the commissioner's coach coming down that way, several drops of blood fell from the head upon the top of the coach, which all their art and diligence could not wipe off; and that when physicians were consulted; whether any natural cause could be assigned for such a strange phenomenon, they declared they could think of none. This odd incident beginning to be talked of, and all methods being tried in vain to wipe the blood off, at last the leather was removed and a new cover put on, which indeed was much easier done, than to wipe the guilt of this innocent blood from those who were accessory to the shedding it. A strange accident.

On the 15th the proclamation for keeping the 29th of May was published. On the 22d the solemn league and covenant was by order of two houses of the English parliament burnt with triumph, at London, by the hand of the common hangman; and thus the king's perjury was published in the face of the sun. The 29th of May was observed with the greatest solemnity at *Edinburgh*: But it is well known that the church of *Scotland*, since the reformation, had still vigorously opposed the observation of anniversary holydays, even tho' they were set apart in honour of Christ himself, such as *christmas* and *easter*; they could never therefore think of doing that for their king, which our saviour did not require to be done for himself. Besides, this was a most dismal day to *Scotland*, being the triumph of the wicked between the unjust execution of *Argyll* and Mr. *Guthrie*. Occurrences about this melancholy time.

Many worthy gentlemen suffered greatly during this session of parliament, merely for compliance, which every one was obliged to give during the usurpation. In January the lairds of *Arkinglass* and *MacCondochy* were forfeited. On the 1st of February the indictment against the lord *Waristoun*, *William Dundas*, and *John Hume*, was read in the house, none of them being present. *Waristoun* was forfeited, and his forfeiture was publickly proclaimed at the cross of *Edinburgh*, by the heralds, on the 13th of May. The indictment was much to the same purpose with that against the marquis of *Argyll*. On the 22d of February the laird of *Swinton*, was brought before

The sufferings of gentle-men.
Waristoun forfeited.

1661. before the parliament, and, when his indictment was read, had a very accurate and pointed speech in his own vindication, which so effectually prevailed upon them, that they recommended him to the king as a fit object of his mercy; and, according to Mr. Wodrow, the *papists* at court interposed in the *quaker's* behalf, and he had favour shewn him, tho' he had as great a share in joining with the *usurper*, as any man in the kingdom. Such was the partiality of those times! For little or no favour was shewn to those who had been active in the work of reformation, and faithfully adhered to their principles; as appears from the treatment several eminent ministers and others met with, which I am now to relate, beginning with those who were apprehended with Mr. Guthrie on the 23d of August last. Tho' one or two of them fainted, and, upon making some verbal acknowledgments, were permitted to retire to their own habitations, yet others suffered greatly for their faithfulness, particularly Mr. Alexander Moncrief and Mr. Robert Trail.

Mr.
Mon-
crief.

During the usurpation, Mr. Alexander Moncrief, minister at *Scoonie* in *Fife*, endured much persecution for his attachment to the royal family. He was then hunted as a *partridge* upon the mountains, and suffered imprisonment for praying for the king; but all the return he had, was to be apprehended when petitioning according to law. He had his indictment given him about the same time with Mr. Guthrie. No solicitations could move him to retract his principles, tho' his life was in danger: And when the earl of *Arhole* and others told his wife, that it was impossible to save his life, if he did not recede from some things, this excellent woman answered, 'That they all knew she was happy in a good husband; that she had great affection to him, and many children; yet she knew him to be so stedfast in his principles, where his conscience was concerned, that no body needed to deal with him upon that head; for her part, before she would contribute any thing that would break his peace with his master, she would rather chuse to receive his head at the cross.' However, providence so over-ruled this affair, that his life was spared; but then he was declared to be for ever incapable of exercising any publick trust, civil or ecclesiastical, and discharged from going to his parish; and all this for owning his accession to the remonstrance and

causes

causes of God's wrath. Many were the hardships he underwent, and as many the preservations he met with after this, as we shall relate.

About the beginning of *March*, Mr. Robert Trail, Mr. John Stirling, and other ministers, were before the lords of the articles: But it seems none of them were brought before the parliament except Mr. Trail, who was indicted for high-treason, for being concerned in the remonstrance 1650. in the book of the *causes of God's wrath*, in the *supplication of August* last, and in the imperfect scroll of a letter and instructions which were found at that meeting.

Mr. Trail, as appears from his speech in the house, was one of those who declared against the *Tender*, when imposed in the time of the *usurpation*, and always endeavoured to keep in mind that great precept, *Fear God and honour the king*. As to the *remonstrance*, he told them; That he was neither at the contriving or presenting of it; that he was at that time besieged in the castle of *Edinburgh* by the unjust invaders of the land. ----- That he run a very great hazard, by a dangerous wound he received in the defence of his king and country. ----- As to the book of the *causes of God's wrath*, he owned that he was present at that meeting when those things were spoke of, and confessed, and mourned for, and prayed against; but he could not see that this was either treasonable or seditious. As to what is said in the book, of closing a treaty with the king, after he had given such evidences of his disaffection and enmity to the work of God, he said, That he never denied his majesty's just right and title to these kingdoms, but always acknowledged him to be the only righteous heir; but that he thought there was not care enough taken to get him brought off from his prejudices against the work of reformation. ----- The next article in that book, concerning taking *malignants* into the army and judicatories, he said; There is nothing asserted there, but what is consonant to the word of God, and the received doctrine of this church. ----- For, if it be a commanded duty to put into places of trust and power, men fearing God, men of truth and hating covetousness, then the neglect thereof must be a sin, and so a *cause of wrath*. As to the *supplication in August* last, he said he most cheerfully subscribed it, as a testimony of his

loyalty

1661

Mr.
Robert
Trail.

1661. 'loyalty to his king, and of his ardent desire to have
 'wrath kept from his throne and dominions, by a hum-
 'ble minding him of the sacred ties of the covenant, and
 'by earnestly supplicating him to walk according to
 'them, both in his court and family, and in the go-
 'vernment of his kingdoms.---As to the imperfect
 'scroll of a letter and instructions found in their meet-
 'ing, he acknowledged they were intended to be sent
 'to some of their brethren, in another part of the coun-
 'try, for procuring their subscription to their petition,
 'without the least thought of disloyalty.'

This is the sum and substance of his defence; from which it plainly appears how unjustly he and others were at that time charged with treason. Whether the parliament passed any sentence against him at this time, my author does not say; only it appears that he was in prison after the session was over.

Mr. John Murray, minister at Methuen, who was at the meeting in August last, was likewise charged with high-treason; but what the issue of the process was is not known.

Mr. Simpson. But the ministers who were apprehended in August
 p. 70. last were not the only sufferers during this session; for Mr. James Simpson, minister at Airth, who had been apprehended at Port-patrick, after a copy of his indictment was sent to him to answer in prison, was, by this parliament, banished the king's dominions, without being allowed a hearing, or so much as being summoned before them. He died in Holland, and so had the same fate with the reverend Mr. MacWard, whose singular case I am now briefly to relate.

Mr. Mac- Ward. Mr. Robert MacWard, minister at Glasgow, was remarkable for his learning, zeal, and other ministerial abilities. This good man observing the design of the managers, to overturn the whole covenanted work of reformation, in February gave a faithful and seasonable testimony against the glaring defections of the times, in an excellent sermon in the tron-church of Glasgow, from Amos iii. 2. He concluded his sermon with these words: 'As for my own part, as a poor member of this church of Scotland, and an unworthy minister in it, I do this day call you, who are the people of God, to witness that I humbly offer my dissent to all acts which are, or shall be passed against the covenants, and work of reformation in Scotland: And, 2. protest that I am
 'desirous

desirous to be free of the guilt thereof, and pray that 1661.
 ' God may put it upon record in heaven.' This sermon, especially this conclusion of it, made great noise, and therefore he was brought in to *Edinburgh* under a guard, and committed to prison, and soon after had an indictment given him by his majesty's advocate, for sedition and treasonable preaching.

When he was before the parliament, June 6. he delivered himself with great eloquence and judgment, as of his his very enemies acknowledged; and, among other *speech* things, said, ' I humbly desire it may be considered, that a ministerial *protestation* against, or dissent from any acts, or act, which a minister knows, and is convinced to be contrary to the word of God, is not a legal impugnation of that or those acts, much less of the authority enacting them, which it doth rather presuppose, than deny or impugn; but it is a solemn and serious attested declaration, or witness and testimony against the evil and iniquity of these things; which, by the word of God, is a warrantable practice, and here, and at this time, a necessary duty: And for which way of *protesting*, or testifying, or witnessing, a minister hath the *prophets* a pattern for his imitation, as is clear, 1 Sam. viii. 9. *Howbeit, yet protest solemnly unto them, and shew them the manner of the king that shall reign over them.* Where the Lord, to signify his great resentment and dislike at the people's course and carriage towards him, commands the prophet, in his name, to *protest* against their procedure. *Howbeit, yet protest solemnly unto them,* (saith he) or, as the words are rendered on the margin of our bible, *Notwithstanding, when thou hast protested solemnly against them, &c.* which reading seems best to agree, both with the scope, and what is said *verse* 19. It is clear also, *Jerem. xi. 7.* when the Lord sums up all his serious exhortations to obey his voice, and all his sharp expostulations for not obeying his voice, and keeping his covenant, in this very term of PROTESTING earnestly: *For I earnestly protested unto your fathers in the day, &c. rising up early and protesting, saying, Obey my voice.* So that my protestation, testimony and dissent, not being without a precedent practice in the prophets, and so not without divine precept, cannot be called, nor ought to be accounted a contravention of the acts libelled in the indictment; neither

1661. neither can I, for *this*, come under the lash of the law; unless it be said and asserted, which I know will be denied with abhorrence and detestation, that these acts do discharge, under pain of treason, what God the supreme lawgiver commands his servants to do, under pain of *his* displeasure; as they would not, by their unfaithful silence, lose their own, and betray the souls of others; so that, take the word *protesting*, in the scripture-sense, for *solemn declaring and witnessing* against sin, and for duty, in which sense alone I take it, it will not be liable to any just exception—there being nothing more frequent in the word than such *protesting*, declaring and witnessing against sin and for duty.—And, besides, it will not a little contribute, to remove what matter of offence is taken at the manner of my testimony, because, in the term of *dissenting* and *protesting*, if it be considered, that all the reformed churches of Christ this day have their *denomination* and *distinction* from the church of Rome, from a solemn publick PROTESTATION against the decree which was made by CHARLES V. and the estates of the empire at—*anno*—in prejudice to religion and reformation, though I do not plead a perfect parallel between *this* and *that*.

As to the matter of my *protestation*.—My practice seems neither contrary to reason nor religion; but consonant to both; it being commonly taken as a principle, rather than tossed as a problem, that, where there is a *jus quasitum domino*, it is competent, incumbent and necessary for the servant and ambassador, in the behalf and interest of his lord and master, to dissent from and *protest* against all acts made to the prejudice of *that* right. But so it is, that there was a right acquired to the LORD my master, whose servant and ambassador I am, though most unworthy, to wit, the confirmation civil of those covenants and vows, made to and with HIM for reformation in this church, according to his will revealed in his word, and the obligation civil of the lieges thereunto, by the interposition of civil authority: Therefore I humbly conceive, that, as a right cannot, at least ought not, to be taken away in prejudice to a third party, so far less in things concerning the LORD and his interests, the publick faith of the kingdom being engaged to God to promote and secure *that*: So that, in

in this case, for me to have *protested* for my master's 1661.
interests, to whom there was a *civil* right made, and
to dissent from all acts prejudicial to the same, will,
I hope, be thought to be the duty of *the man* who
desires to approve himself to God, and who expects,
in the day of his accounts, the approbation of *Well*
done, good and faithful servant. —

Mr. *Sharp* and his friends resolved now to be rid, *He is ban-*
as much as possible, of the most eminent of the *presby-* *nished.*
terian ministers, and therefore Mr. *MacWard* was ban-
nished; however, he was allowed to continue six months
in the nation, one of which only in *Glasgow*, and had
power given him to receive the following years stipend
at his departure. Accordingly he submitted to the sen-
tence, and transported himself and family to *Roterdam*;
where, upon the death of the reverend Mr. *Alexander*
Petrie, (the author of a compendious history of the ca-
tholick church, from the 600 to 1600. printed at the
Hague 1662.) he became minister of the *Scots* congre-
gation there, where he wrote a history of this church,
during his own time, which, if it had been published,
and not concealed by the inconsiderate or ill-designing
custodier thereof, might have been of very singular use,
and superseded all other histories for that time. He
died about 20 years after this, having been eminently
useful in his day and generation.

Thus the acts of this parliament were sealed with
blood, and with the many tears of numbers, who had
their beloved pastors violently taken from them and ban-
nished into foreign countries, and that merely for the
testimony of a good conscience. But that the reader
may have another proof of the partiality of this parlia-
ment, I cannot omit the case of Mr. *Patrick Gillespie*.

He was first minister in the town, and principal of Mr. *Pat-*
the college of *Glasgow*, a man of great learning, solidity *Gillespie,*
and piety. It is plain that he made great compliances
with *Cromwell* during the *usurpation*, and therefore we
need not be surprised that he was prosecuted by the
present managers, when so many, who had firmly ad-
hered to the king's interest, were so ungratefully used.
Besides, he was against the *publick resolutions*, and had
no small share in the *western remonstrance*. We took
notice of his imprisonment last year. On the 6th P. 69
of *March* this year, he was brought before the par-
liament, and his indictment was read, containing his
com-

1661. compiling and subscribing the *western remonstrance*, his consenting to the pamphlet called *The causes of God's wrath*, his constant correspondence with *Cromwell*, &c. But he had friends in the house, and favour was shewn him. It must indeed be owned that he sadly departed from his former testimony; for he acknowledged 'he had given offence to his majesty by the *remonstrance*, 'and otherways, which he *now was sorry for, and did disclaim*, and therefore cast himself upon the king's 'mercy, &c.' The parliament, upon this, interceded for him, and in a little time he was taken out of prison, but confined to *Ormessoun* and six miles round it. His acknowledgment gave just offence to many, who looked upon it as an instance of great fainting, in a person of his forwardness, zeal and activity in former years.

The parliament rose on the 12th of *July*, after which the management of affairs were lodged in the hands of the COUNCIL. On the last day of *July* their acts were proclaimed, with great solemnity, at the cross of *Edinburgh*. During all this session there was not the least motion made for an *act of indemnity*; the secret whereof, according to *Bishop Burnet*, was this, That, since diocesan *episcopacy* was to be set up, and as those who were most like to oppose it were, on other accounts, obnoxious, it was thought best to keep them under that fear, till the change should be made.

I shall conclude this chapter with some account of the great *Mr. Rutherford* who died about the end of *March* this year, and may very justly come in among the sufferers during this session of Parliament, for he was certainly a martyr, both in his own resolution and in the design of the managers.

Account of Mr. Rutherford. Pref. to his letters, p. 15, 16. This pious and learned, diligent and faithful minister of Christ, was a gentleman by extraction, and gave early proofs of his great abilities; for, when he was very young, he was pitched upon for a profession of philosophy in the college of *Edinburgh*, where he was educated. From thence he was called to the ministry at *Andrew*, and entred on that charge, by means of the then viscount of *Kenmure*, without coming under any engagement to the prelate. There he laboured with great diligence and much success, and there he wrote his *Exercitationes apologeticae*.

The prelates were so heterodox, as to accuse him for writing *that* book, and so apostatized, as to find fault

fault with him for preaching against the sins of the 1661.
land. He was summoned before the *high commission-
court* 1636. and upon declining its authority, as none
of the courts of Christ, was deposed from his ministry
and sent prisoner to *Aberdeen*; where, says my author,
the doctors found, to their confusion, that the *Puritans*
were clergymen as well as they. It was from thence
that he wrote many of his admirable letters to his friends.

Upon the great turn of affairs 1638. he was restored
to his former charge at *Anwoth*, and soon after appoint-
ed professor of divinity at *St. Andrews* by the general
assembly. He was likewise called to be colleague in
the ministry with the worthy Mr. *Blair*. And by the
indefatigable pains of Mr. *Rutherford*, both teaching in
the schools, and preaching in the congregation, *St.*
Andrews, the seat of the archbishop, and so the nursery
of all superstition, error and profaneness, soon became,
as my author expresses it, a *Lebanon*, out of which were
taken cedars for building; the house of God through the
whole land.

He was one of the commissioners sent by the general Netheni
assembly of the church of *Scotland* to the assembly of præf. ad
divines at *Westminster*, where he was held in great repu- examen
tation. In the year 1651. upon the death of the learn- arminia-
ed Mr. *Dematius*, the magistrates of *Utrecht* being a- nismi.
bundantly satisfied as to the learning, piety and zeal
of this great man, invited him to the divinity chair
there. But he chose rather to suffer affliction in his
own country, than to leave his flock and charge in time
of danger. And therefore he continued at home till the
day of his death.

The parliament this year 1661. were to have an in-
dictment laid before them against this eminent person;
for, after his book, *Lex rex*, had been ordered to be
burnt at the cross of *Edinburgh* *, and at the gate of * p. 69.
the new college of *St. Andrews*, where he was divini-
ty professor, they most barbarously ordered him to be
summoned before them, to answer to a charge of high
treason, though every body knew he was then in a dy-
ing condition: But, says Mr. *Wodrow*, he had a higher
tribunal to appear before, where his judge was his friend.
Accordingly he died on the 29th of *March*, the very
day before the *act rescissory* was passed, and so was taken
away from the evil to come.

Some

1661. Some of his last words are these, ' I shall shine, I shall see him as he is, and all the fair company with him, and shall have my large share. It is no easy thing to be a christian : But, as for me, I have got the victory, and Christ is holding forth his arms to embrace me. I have had my fears and faintings, as another sinful man, to be carried through creditably ; but as sure as ever he spoke to me in his word, his spirit witnessed to my heart, saying, *Fear not*, he hath accepted my suffering, and the out-gate should not be matter of prayer but of praise.' He said also, ' Thy word was found, and I did eat it, and it was to me the joy and rejoicing of my heart.' A little before his death, after some fainting, he said, ' Now I feel, I believe, I enjoy, I rejoice'. Turning to his colleague Mr. *Blair*, he said, ' I feed on *manna*, I have angels food, mine eyes shall see my redeemer. I know that he shall stand, at the latter day, upon the earth, and I shall be caught up in the clouds to meet him in the air.' Afterwards he had these words, ' I sleep in Christ, and when I awake I shall be satisfied with his likeness. O for arms to embrace him !' And to one speaking of his painfulness in the ministry, he cried out, ' I disclaim all, the port I would be in at is redemption and forgiveness of sins through his blood. His last words were, *Glory, glory dwellth in Emanuel's land.*' He regreted, when near his end, that he had not the honour of giving a publick testimony to the work of reformation since the year 1638. and against the lamentable defections of the present times.

Thus lived the great Mr. *Rutherford* a life of communion with God, and died in full assurance. The letters which he left behind him discover what manner of spirit he was of ; and however they are the ridicule of the graceless and profane, like pearls before swine, yet they breathe an uncommon spirit of piety and seraphick love to his Lord and master, and are much calculated for the support, encouragement and comfort of serious christians, under their forest afflictions.

C H A P.

C H A P. III.

Of the proceedings of the council and the regal erection of prelacy, together with the sufferings of gentlemen and ministers during the rest of the year.

THE day after the parliament rose, his majesty's 1661. privy council met at *Holy-rood-house*. The following is a list of them, The earl of *Glencairn* chancellor, earl of *Crawford* treasurer, earl of *Rothes* president of the council, the dukes of *Lenox* and *Hamilton*, the marquis of *Montrose*, earls *Lauderdale* secretary, *Errol*, *Marschal*, *Mar*, *Athole*, *Mortoun*, *Eglinton*, *Cassils*, *Caithness*, *Murray*, *Linkithgow*, *Hume*, *Perth*, *Dumfermling*, *Wigtoun*, *Kelly*, *Roxburgh*, *Haddington*, *Tullibardin*, *Weems*, *Southesk*, *Hartfield*, *Callender*, *Tweeddale*, *Middletoun*, *Dundee*, *Newburgh*, lords *Sinclair*, *Halkertoun*, *Duffus*, Sir *Archibald Primrose*, Sir *John Fletcher*, Sir *William Bannantyne*, Sir *Robert Murray*, Sir *John Gilmour* of *Craigmillar*, Sir *William Fleming*, Laird of *Ley*, laird of *Blackhall*, Sir *John Wauchop* of *Niddrie* knight, *Gibson* of *Durie*, Sir *George Kinnaird* of *Rossie*, *Alexander Bruce* brother to the earl of *Kincairdin*, and Sir *William Scot* of *Airdie*. After the publick reading of their commission, and their powers, all present took the oath of *allegiance*, formerly mentioned, and then the oath of council. They had now the whole executive power in their hands, and accordingly, at their first meeting, they ordered the citadels built by the *English*, during the *usurpation*, to be demolished. — But as the point of the greatest importance, at that time, was the getting *prelacy* established — I shall first give some account of that matter.

The privy council meets.

We have seen how the parliament, by their 16th act, put the whole power, as to church-affairs, into the king's hands, by which he was to settle the *ecclesiastical* government, as HE thought most proper; but then the parliament had by no act as yet established *prelacy*, consequently it does not appear to have any proper parliamentary settlement in *Scotland*, but to be brought in by a mere act of the king's *prerogative*, as we shall presently see.

When the parliament was up, *Middletoun* and the *Debates* courtiers repaired with all speed to *London*, and, when *about episcopacy* they had the government of the church of *Scotland* under

1661. der their consideration, the commissioner and chancellor were strenuously for *bishops*. *Lauderdale*, *Crawford* and duke *Hamilton*, for some time opposed them. 'The

p. 131. earl of *Middletoun*, says *Burnet*, assured the king, That *episcopacy* was desired by the greater and honestest part of the nation. One synod had as good as petitioned for it: And many others wished for it, though the share they had in the late wars made them think it was not fit or decent for them to move for it. *Sharp* assured the king, That none but the *protestors*, of whom he had a very bad opinion, were against it: And that, of the *resolutioners*, there would not be found twenty that would oppose it. — On the other hand, the earl of *Lauderdale*, and all his friends, assured the king, That the national prejudices against it were still very strong, that those who seemed zealous for it ran into it only as a method to procure favour, but that those who were against it would be found stiff and eager in their opposition to it; that, by setting it up, the king would lose the affections of the nation, and that the supporting it would grow a heavy load on his government; which indeed came to pass. The bishop farther observes, 'That upon this diversity of opinion, the thing having been proposed in a *Scots* council at *Whitehall*, the earl of *Crawford* declared himself against it, but the earl of *Lauderdale*, duke *Hamilton* and Sir *Robert Murray* were only for delaying till the king should be better satisfied concerning the inclinations of the nation. All the rest were for the change.'

The result
of these
debates.

These debates are said to have lasted for some days, and that here the foundation of discord was laid between *Middletoun* and *Lauderdale*, which issued in the ruin of the former. A little after, the chancellor, in a conversation with *Lauderdale*, desired him not to mistake his conduct in that affair, for he was not for *lordly prelates*, such as had been formerly in *Scotland*, but only for a *limited, sober and moderate episcopacy*. To which *Lauderdale* is said to have replied, 'My lord, since you are for *bishops*, and must have them, *bishops* you shall have, and *higher* than ever they were in *Scotland*, and that you shall find.' It being thus agreed to alter the government of the church of *Scotland*, a letter was sent from his majesty to the privy council there, declaring his royal pleasure to have *episcopacy* established in this ancient kingdom. He did not demand their advice

vice upon it, says Bishop *Burnet*, but even required their 1661
obedience to it, as appears from the letter itself, which
is as follows.

CHARLES R.

RIGHT trusty and well beloved cousins and counsellors, we greet you well. Whereas in *The king's letter.*
the month of *August* 1660. we did, by our letter to
the presbytery of *Edinburgh*, declare our purpose to
maintain the government of the church of *Scotland*
settled by law; and our parliament having, since that
time, not only rescinded all the acts since the troubles
began referring to *that* government, but also declared
all those pretended parliaments null and void, and
left to us the settling and securing of church-govern-
ment: Therefore, in compliance with that act re-
scissory, according to our late proclamation, dated at
Whitehall the 10th of *June*, and in contemplation of
the inconveniences from the church-government, as it
hath been exercised these twenty three years past, of
the unsuitableness thereof to our monarchical estate, of the
sadly experienced confusions which have been caus-
ed, during the late troubles, by the violences done
to our royal prerogative, and to the government,
civil and ecclesiastical, settled by unquestionable au-
thority, we, from our respect to the glory of *God*, and
the good and interest of the protestant religion, from our
pious care and princely zeal for the order, unity, peace
and stability of that church, and its better harmony
with the government of the churches of *England* and
Ireland, have, after mature deliberation, declared to
those of our council here, our firm resolution to in-
terpose our royal authority for restoring of that
church to its right government by bishops, as it was
by law, before the late troubles, during the reigns of our
royal father and grandfather of blessed memory, and as it
now stands settled by law. Of this our royal pleasure, con-
cerning church-government, you are to take notice, and
to make intimation thereof in such a way and manner
as you shall judge most expedient and effectual. And
we require you and every one of you, and do expect,
according to the trust and confidence we have in your
affections and duty to our service, that you will be
careful to use your best endeavours for curing the
distempers contracted during those late evil times, for
uniting

1661. uniting our good subjects among themselves, and bringing them all to a cheerful acquiescing and obedience to our sovereign authority, which we will employ, by the help of God, for the maintaining and defending the true reformed religion, increase of piety, and the settlement and security of that church in her rights and liberties, according to law and ancient custom. And, in order thereto, our will is, that you forthwith take such course with the rents belonging to the several bishopricks and deanries, that they may be restored and made useful to the church, and that according to justice and the *standing law*. And, moreover, you are to inhibit the assembling of ministers in their several *synodical* meetings through the kingdom, until our farther pleasure, and to keep a watchful eye over all who, upon any pretext whatsoever, shall, by discouraging, preaching, reviling, or any irregular or unlawful way, endeavour to alienate the affections of our people, or dispose them to an ill opinion of us and our government, to the disturbance of the peace of the kingdom. So, expecting your cheerful obedience, and a speedy account of your proceedings herein, we bid you heartily farewell. Given at our court at *Whitehall*, August the 14th 1661. and of our reign the 13th year. By his majesty's command.

LAUDERDALE.

On the last of *August*, the earls of *Glencairn* and *Rothies*, with Mr. *Sharp*, returned from court; and next council day, *September* 5th, the lord chancellor presented his majesty's letter, which being read, the clerk was ordered to draw up an *act* in obedience thereunto, to be proclaimed and made known to all the lieges. Accordingly next day the draught was presented and approved of, and proclaimed over the cross, with great solemnity, by the *Lyon king at arms*, with all the trumpets, and the magistrates of *Edinburgh* in their robes. This act of council is the eccho of his majesty's letter. The council, the same day, ordered a just copy of their act and proclamation to be transmitted to the king; for which his majesty returned them his thanks. And thus PRELACY was again brought into *Scotland*; from which I cannot but make the following remarks.

Remarks. As his majesty's letter, and the council's act and proclamation in consequence of it, was the foundation upon

on which *prelacy* was at this time established, so it is 1661.
apparent, 1. That the king intended to deceive the mi-
nisters of the church of *Scotland*, by his letter to the
presbytery of *Edinburgh*, wherein he declared his resolu-
tion to protect and preserve the government of that P. 67,
church, as it is settled by law; for, in his last letter, these 68.
words, as it is, are artfully omitted, that there might
be a fairer pretence for introducing *bishops*, upon that
very ground which so many took to be an assurance gi-
ven against them. When his majesty wrote to the pres-
bytery of *Edinburgh*, *prelacy* stood abolished, and *pres-*
byterian government established by law, and the king's
solemn oath was engaged to preserve the same inviola-
ble. But, 2. it is apparent, that *prelacy*, in *Scotland*,
was now restored entirely by virtue of the *regal supre-*
macy, of which the king was so tender, that he neither
advised with his council, nor sought their consent, but
required them to publish his pleasure in this point; for,
tho' the parliament had rescinded all the acts passed
since the year 1633. yet they had by no act, as yet, e-
stablished *diocesan* episcopacy; only the king interposed
his authority for restoring that church to its right go-
vernment by *bishops*, as it was by law before the late
troubles; so that *prelacy* was one of the first fruits of
absolute and arbitrary power. 3. The reasons given for
this remarkable change were absolutely false. Inconve-
niences are first mentioned, tho' not one instance is gi-
ven. It is plain that profaneness was greatly suppressed,
piety flourished, and many were converted, while the
church of *Scotland* enjoyed her just and lawful liberties;
and, perhaps, THESE were looked upon as *inconvenien-*
ces by the present managers. It is also alledged, that
presbytery, tho' never named, was unsuitable to his
monarchical estate. How soon had his majesty forgot
that the *presbyterians* stood by him during his exile,
and that they restored him to his crown! The confusi-
ons of the late times are also most unjustly laid to their
charge, since they were almost the only body in the
three kingdoms that stood out against CROMWELL. And
tho' his majesty pretended he was now moved from a re-
gard to the glory of God, who, that observe him now in-
terposing his royal authority for overturning that consti-
tution, which, upon his knees, and with his hands lift-
ed up to heaven, he swore to maintain only a few years
before, can give the smallest credit to his pretences?

1661. For indeed he stuck at nothing. But, not to trouble the reader with any farther remarks,

*Men
sought out
to be bi-
shops.
Burnet.
p. 132,
133.*

Prelacy being thus restored by the royal authority, the next thing under consideration was to have bishops appointed and consecrated. *Sheldon*, and the *English* bishops, had an aversion to all that had been engaged in the *covenant*. *Mr. Thomas Sideferse* was the only man now alive of the old bishops, and at this time expected to be advanced to the primacy of *Scotland*. But he had so disgusted the *English* bishops, that they did not espouse his interest, tho' they were much against a set of *presbyterian* bishops. This affected *Sharp* sensibly: So he laid the matter before the earl of *Clarendon*, and managed matters with so much art and dissimulation, that he got the archbishoprick of *St. Andrews* secured to himself, and was ordered to find out proper men for filling up the other sees. The choice were,

*The new
bishops.
Sharp's
character.*

Mr. James Sharp metropolitan; a monster of hypocrisy, perjury and vileness. He took the *Tender*; made such a proposal to *Cromwell*, that he publicly declared him to be an atheist; was base with one *Isabel Lindsay*, as she publicly declared to his face, and had a share in the murder of the poor infant. He betrayed the church of *Scotland*, and persecuted the true members of it. In a word, his wicked and cruel life, and the death he deservedly met with, would make a black and dismal story.

*Fairfoul's
character.*

*p. 133,
134.*

Mr. Andrew Fairfoul was made archbishop of *Glasgow*, a man of some learning and neat expression, but never esteemed serious. *Burnet* says, he was a pleasant facetious man, insinuating and crafty; a better physician than divine; that his life was scarce free from scandal, and was eminent in nothing that belonged to his own function. He had both sworn the *covenant*, and persuaded others to do it; and, when it was objected to him, he said, That there were some very good medicines that could not be chewed, but were to be swallowed.

*Other bi-
shops.*

The persons who filled up the other bishopricks, were *Mr. George Wisheart* of *Edinburgh*, *Mr. Sideferse* of *Orkney*, *Mr. David Mitchell* of *Aberdeen*, but did not enjoy it a full year. *Mr. James Hamilton* of *Galloway*,
Mr.

* *Burnet* says of *Mr. Hamilton*, that, when he formerly gave the sacrament, he excommunicated all who were not true to the *covenant*, using a form in the old testament of shaking out the lap of his gown, saying, *So did he cast out of the church and communion, all that dealt falsely in the COVENANT.*

Mr. Robert Wallace of the Isles, Mr. David Fletcher of Argyll, Mr. George Haliburton of Dunkeld, Mr. Patrick Forbes of Caithness, Mr. David Strachan of Brechen, Mr. John Paterson of Ross, Mr. Murdoch MacKenzie of Moray, and Mr. Robert Leighton of Dumblain. To this last Burnet gives the most excellent character that can be met with amongst them; and he was certainly the best of any of the bishops nominated: But he was judged by many to be void of any doctrinal principles; and his close correspondence with some of his relations at Doway, in popish orders, made him suspected as indifferent to all professions which bear the name of *Christian*. It was the remark of a countryman, 'That the bishops of England were like the kings of Judah, some good, some bad; but the prelates in Scotland were like the kings of Israel, not one of them good, but all followers of Jeroboam the son of Nebat, who made Israel to sin.'

Country-man's remark.

There were four of those who were appointed to be bishops at this time in London, to wit, Sharp, Fairfoul, Hamilton and Leighton. 'The English bishops, finding that Sharp and Leighton had not episcopal ordination as priests and deacons, the other two having been ordained by bishops before the wars, insisted that they should be ordained first deacons and then priests. Sharp was very uneasy at this, and reminded them of what had happened when king JAMES had set up episcopacy, who declared, That he thought such a practice went too far towards the unchurching all those who had no bishops amongst them: But the bishops were positive in the point, and would not dispense with it, and the others at last yielded;' which, says Mr. Wodrow, made the bishop of London tell Sharp, when he came to acquaint him with their consent to re-ordination, *That it was the Scots fashion to scruple at every thing, and to swallow any thing.* And tho' this was an unjust and invidious reflection, yet these persons were justly re-proved; for one of them frankly declared he would be ordained, re-ordained, and re-ordained again, if it was insisted upon. Accordingly Sharp and Leighton were privately ordained deacons and priests, and then all the four were consecrated publicly in the Abbey of Westminster, before a great confluence of Scots and English nobility, in December that year. The ceremony was performed in all the modes of the English church.

Burnet, p. 139, 140.

Re-or-dained and conse-crated.

p. 140.

Though

1661. Though the *Scots* bishops, by submitting to a fresh ordination as presbyters, declared that they looked upon *presbyterial* ordination as invalid, yet it is plain *Remarks.* on their after-conduct was inconsistent with this principle; for, when they returned to *Scotland*, and entred upon their *episcopal* function, they re-ordained none of those ministers who complied with them; and consequently, according to their own principles, *these* were no lawful ministers, since they had not *prelatical* ordination. It must therefore be left with the reader to determine, whether they could be justified in persecuting those people who would not submit to those compliers, when, according to their own principles, they were not lawful ministers. It is in vain to alledge that the bishop's allowance was equivalent to ordination by the imposition of hands; for, if *that* was the case, why were they themselves re-ordained by the imposition of hands, to the scandal of all the reformed churches? The party may answer this the best way they can.

Leigh-
ton's opi-
nion. Bur-
net, p.
141.

Leighton told Dr. *Burnet*, that, in the whole progress of this affair, there appeared such cross characters of an angry providence, that, how fully soever he was satisfied as to *episcopacy* itself, yet it seemed that God was against them, and that they were not like to be the men that should build up his church, so that the struggling about it seemed to him like a *fighting against God* — He that had the greatest hand in it proceeded with so much dissimulation, and the rest of the order were so mean, so selfish, and the earl of *Middletoun*, with the other secular men that conducted it, were so openly impious and vicious, that it did cast a reproach upon every thing relating to religion to see it managed by such instruments.

Earl of
Tweed-
dale be-
fore the
council.

It is now proper that we return to the proceedings of the privy-council, before whom we shall find a remarkable process, in the month of *September*, relating to the earl of *Tweeddale*. It seems the court was informed, that, when the process was depending before the parliament against Mr. *Guthrie*, his lordship spake in favour of that gentleman. This was accounted such a crime, that his Majesty sent a letter to the council, dated the 7th of *September*, ordering them to commit the earl to the castle of *Edinburgh*, which was executed on the 13th. On the 17th his lordship petitioned the council, to interpose either for his enlargement, or that his imprisonment might be changed to a confinement to his house at

Imprison-
ed.

Bothams.

Bothams. Accordingly they wrote to the secretary, and 1661. inclosed his petition, and signified, that, in the late meeting of council, when the matter of church-government was before them, the earl had heartily complied with his majesty's commands, behaving himself as a faithful counsellor and loyal subject. On the 1st of *October* two letters from the secretary were read in council, recommending them to examine his lordship's conduct at the late vote in parliament which condemned Mr. *Guthrie*, and to confine him to *Bothams*, and three miles round, till farther orders. Upon this a committee of the council was appointed, to whom he gave in a declaration, signifying, 1. That there were some circumstances in Mr. *Guthrie*'s case, that inclined him to vote for some other punishment than death. 2. That he did not remember his vote relating to the petition and instructions. 3. That having heard the process relating to the *declination* read but once, and it being the first criminal process he was ever witness to, he therefore declined to vote in that article. Upon producing this declaration the earl was discharged from the castle, but confined to his own house at *Bothams*, and three miles round, and ordered to find bail, under the penalty of 100,000 merks *Confined to his house.* *Scots*, for his appearance, or returning to the castle, when his majesty or the council should see proper. And tho' afterwards his confinement was taken off, yet from this process the reader cannot but see a manifest encroachment on the freedom of parliament; for this was the only thing that was laid to his charge.

On the 18th of *September* the council agreed to a Proclamation discharging the electing of any person to be magistrate or counsellor within any burgh, except such as were of known loyalty and affection to his majesty's government, qualified as is expressed in the late acts of parliament, and others made for that effect, and whose carriage, during the late troubles, has been no evidence to the contrary. The design of this proclamation was to exclude all *presbyterians*, and such as were not hearty for bishops and the king's arbitrary power, from any management of burghs, and to entirely subject the royal burghs to the yoke of the courtiers. *Proclamation concerning elections of magistrates.*

On the 7th of *November*, information being given, Liberties that *George Swinton* and *James Glen*, booksellers in *Edinburgh*, have ordered to be printed several seditious and *prejudicial* scandalous books and papers, such as *Archibald Campbell's* *away.*

1661. *bell's speech, Guthrie's speech, The covenant's plea, &c.* it was ordered by the council, that the lord advocate and provost of *Edinburgh* seize upon these books and papers, and discharge the above and other booksellers to print any more books or papers, till they received warrant from the king, parliament or council. And thus the liberty of the press was effectually taken away: For the conduct of these managers could by no means bear such a publick scrutiny.

Proceed-
ings a-
gainst
Mr. Blair.

During these things the reverend Mr. Robert Blair, minister at *St. Andrews*, was ordered, upon some information or other, where *Sharp* took care to keep himself behind the curtain, on account of particular obligations he was under to this worthy gentleman, to present himself before the lord chancellor, at *Edinburgh*, by the 9th of *October*. The earls of *Linlithgow*, *Hume*, &c. were, on the 5th of *November*, appointed to examine him, and give in their report to the next meeting of the council, which was done accordingly on the 7th: But what resolutions they came to is not known; for my author tells us, that he found a blank in the records of near half a page; and upon the margin, *Act* Mr. Robert Blair, as if they had been ashamed of their proceedings against such a person, who was so universally regarded. We shall hear more of him next year.

Ministers
discharg-
ed.

The council, in consequence of an application by the presbytery of *Linlithgow*, discharged the reverend Mr. William Wisheart from his confinement, after 13 months imprisonment, and afterwards Mr. John Scot and Mr. Gilbert Hall, who had been apprehended on the remarkable 23d of *August*.

Several west-country gentlemen, in the month of *November*, were brought to a great deal of trouble for their joining with colonel *Strachan*, 1650. And while the council were prosecuting Mr. Blair and other presbyterians, they could not, for shame, evite doing somewhat against trafficking papists, whose numbers at this time greatly increased; and it must be owned that the council shewed some considerable zeal this way, had they not been much hindered by the remissness of the prelates. However, *John Inglis*, and *William Brown* were apprehended and committed to prison, and were both banished the kingdom; and a proclamation was issued on the 19th of *November* against papists, and for seizing all popish books, writings, commissions, and others belonging

ing to them, under the highest pains. Nevertheless ^{1661.} *Papists* were over-looked, while they, who adhered to the true principles of the church of Scotland were prosecuted with the utmost rigour.

On the 10th of December the council desired the chancellor to send a letter to the presbytery of Peebles, ordering them to desist from admitting Mr. John Hay to the church of Manner, until the return of the archbishop. But it seems the presbytery either had not received the chancellor's letter, or could not put a stop to the ordination, and therefore had proceeded to the admission: Wherefore all the members present were summoned to appear, and answer for their conduct, under the pain of rebellion. This proceeding against presbyteries was a stretch beyond the king's letter, by which synodical meetings were only prohibited. They might as well have forbid presbyteries to take scandal under their consideration, as limit them in the point of ordination, which was one great part of their ministerial function as yet reserved to them by his majesty's last letter. We shall find more presbyteries writ to, in this manner, by the council next year, to the occurrences of which I proceed in the following chapter.

CHAP. IV.

Of the discharging of church-judicatures, the consecration of the bishops, the acts of the parliament, and the proceedings of the council, particularly the act of Glasgow, and other things during the year 1662.

BEFORE the parliament sat down, the council completed the work of overturning the judicatures of this church, pursuant to the orders they received from London, where all things were concerted by Sharp, and the rest of the bishops who were there. ^{1662.}

Accordingly, on the 2d of January, the council received a letter from the king, signifying his will and pleasure, for them to discharge, by proclamation, all ecclesiastical meetings in synods, presbyteries and sessions, till authorised and ordered by the archbishops and bishops. Thus we find that synods were first interrupted, and then discharged: Presbyteries were forbid to ordain any in vacant parishes, and now their meetings were prohibited, nay, and sessions likewise must die with the

1662. the other judicatures of this church, and all in consequence of the royal supremacy, without the authority of parliament.

P. 141. Bishop Burnet says, that Sharp procured this without any advice, and it proved very fatal; for when king James brought in the bishops before, they had still suffered the inferior judicatures to continue sitting till the bishops came and sat among them. — Whereas now, by silencing these courts, the case was much altered:

P. 142. — For these courts being now once broken, and brought together afterwards by a sort of connivance, without any legal authority, only as the bishop's assistants and officials, to give him advice, and act in his name, they pretended they could not sit in them any more, unless they should change their principles and become thoroughly episcopal. And here, by the way, Burnet had no reason to put in these words, *they pretended*; for the truth is, they could not countenance any such judicatures, consistent with presbyterial principles. Burnet adds, so fatally did Sharp precipitate matters. He affected to have the reins of the church wholly put into his own hands, and Lauderdale was not sorry to see him commit errors, since the worse things were managed, his advice would be the more justified. And Middletown and his party took no care of any business, being almost perpetually drunk. —

Resoluti- The same day the above mentioned proclamation was
oners con- published the council discharged the presbytery of Kel-
vinced. so from proceeding to ordain a minister to the church of Yettam; for things were now carried on with an high hand: And, by this time, the publick resolutioners began to see the dismal effects of opening a door to malignants to get into places of trust in the council and army; because though the protestors were the first who suffered, yet both were afterwards made to drink of the same cup. Accordingly Mr. Douglas is reported to have said, when he saw things thus carried on, *Our brethren the protestors have had their eyes open, and we have been blind.* Mr. Dickson used to say, *The protestors had been much truer prophets than they.* And Mr. Wood acknowledged to several of his brethren, who differed from him in judgment, *that they had been mistaken in their views they took of matters.*

The sad And it is a matter of sad regret, that the most part of
state of the presbyteries, instead of making any stand for their reli-
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gious liberties, silently yielded to the proclamation, 1662! and left off meeting in a judicative capacity; so that the wicked and unjust invasions made upon the crown and dignity of the Lord Jesus Christ brought many of the faithful of the land with sorrow to the grave; for now, if any *presbytery* did so much as petition for a fair hearing, no regard was paid to it.

Thus, when the *presbytery of Kirkcudbright* sent two of their members, to wit, Mr. *John Duncan* minister at *Rerick*, and Mr. *James Buglos* at *Crossmichael*, with a petition to the privy council, most respectfully and humbly intreating them, in the name of Jesus Christ, *Petition of the presbytery of Kirkcudbright rejected.*

That their honours would be pleased to grant unto them freedom and liberty to unfold their bosoms in those things, that, relating to the work of God in the land, did sadly aggrrieve their spirits, — and particularly that they might have liberty, with freedom and safety, to express their minds against the re-introduction of *prelacy* upon this church and kingdom; — instead of having a hearing allowed them, they were still more exposed to suffering and persecution. If such petitions as these can, with any shew of reason, be looked upon as seditious or treasonable, must be left to the reader.

Many worthy gentlemen in the west country were brought into trouble, on pretence of their having damaged the earl of *Queensberry's* estate, and been with the forces under colonels *Strachan* and *Ker*, 1650. But the true cause was, because most of them were for the *remonstrance*, and enemies to *prelacy*. The parliament therefore computed the losses the earl sustained at 2000 *l. sterling*, and the council, to whom the parliament left the affair, rated every gentleman, whom they pretended had been concerned as above, in proportion to his estate real and personal. Thus Sir *William Cuninghame* of *Cuninghamehead* was rated at above 200 *l.* Sir *Hugh Campbel* of *Cesnock* at above 130 *l.* Mr. *William Gordon* of *Earlestoun* at above 120 *l. sterling*, and others in proportion. *Gentlemen harassed.*

The reverend Mr. *Robert Blair* was before the council the beginning of this year. On the 9th of *January*, the Lord *Bellenden*, with the advocate and provost of *Edinburgh*, were appointed to examine the witnesses summoned to appear in his case, and make report accordingly; but, after their most diligent search, nothing *Proceedings against Mr. Robert Blair.* could

1662. could be found against him. After the imprisonment of the ministers in August 1660. and the prospect of the resettlement of *prelacy*, he preached a faithful, and yet cautious sermon, from 1 *Pet.* iii. 14. Upon his examination, as to the matter of his sermon, he gave the committee of the council a distinct account. He was only confined to his room at *Edinburgh*, and afterwards removed to *Musselburgh*, where he continued till September this year. While he was there *Sharp* found means to get his charge declared vacant. On hearing of this Mr. *Blair* sent his presentation to the council. A little after he obtained liberty to reside at *Kirkaldy*, where he continued, with great respect, till the order was published forbidding all *presbyterian* ministers to live in burghs, and then he removed to *Couston*. But the true ground of all his trouble was, because the archbishop could not be easy while so good a man was near him. The council had little more before them till the parliament rose.

The earl
of Low-
down died
of grief.

The melancholy change that was now made, and the dismal prospect of things for the time to come, made such impressions upon many, that they died of grief. Among these was the noble *John Earl of Lowdown*, late Chancellor of *Scotland*, who had been a prime instrument in the late work of reformation. He was a nobleman of great and peculiar endowments, joined with remarkable resolution and courage, and, next to the marquis of *Argyle*, was the object of the spite and rage of the present managers. He often intreated his excellent lady to pray that he might never see the next session of parliament; and accordingly he was taken away from the evil to come on the 15th of *March*, and was honourably interred among his ancestors.

The bi-
shops come
down.
Burnet,
p. 142.

Soon after this archbishop *Sharp*, and the other three who had been consecrated at *London*, came down to *Scotland* all in one coach. *Leighton* told Dr. *Burnet*, that he believed they were weary of him, for he was very weary of them. But, finding they were to be received at *Edinburgh* with some pomp, he left them at *Morpeth*, and came to *Edinburgh* a few days before them.

They got to *Berwick* on the 8th of *April*; were met upon the road to *Edinburgh* by a considerable number of noblemen, gentlemen and others, and received at their coming in with all pomp and solemnity, which was not a little pleasing to *Sharp*. The lord chancellor, with all the nobility and privy counsellors then at *Edinburgh*,

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burgh, went out together, with the magistracy of the 1662. city, and brought the bishops in as in triumph. Dr. Burnet was a spectator, and says, That though he was truly *episcopal*, yet he thought there was something in the pomp of that entry that did not look like the humility that became their function.

The Commissioner *Middletoun* came to *Holy-rood-house* Consecrat-
on *Sabbath*, May the 4th; and the 7th was fixed for the ed.
consecration of the rest of the bishops in the church of
Holy-rood-house. The two archbishops, who were the
consecrators, went to the church in their pontifical ha-
bits. The primate made use of the *English* forms, and
read all from the book: But it is remarkable, as bishop P. 143.
Burnet observes, that they were not ordained first priests
and deacons. Three of the bishops nominated, not be-
ing present, were consecrated at *St. Andrews* in the
month of *June* following.

This ceremony made way for their admission into par- Admitted
liament, May the 8th, which was performed with great into par-
ceremony. Six members of parliament, two noblemen, liament.
the earls of *Kelly* and *Weems*, two barons, and two bur-
gesses, were sent to invite them to come and take their
seats in the house. From the *Nether-bow* they went up
in state. The two archbishops in the midst of the first
rank; the gentlemen, magistrates and town-council of
Edinburgh mixed in with the rest of the bishops, who
had all their black gowns and robes. When they came
to the house a speech was made to them, the act restor-
ing them read, and the house adjourned for that time.
They were all invited to dine with the commissioner,
who did them the honour to walk down the street with
them on foot. Six maces went first with their maces e-
levated. Next three gentlemen-ushers, and then the
purse-bearer uncovered. The commissioner and chan-
cellor came next, with two noblemen upon their right-
hand, and the archbishops upon their left. And the
other noblemen and members of parliament invited
made up the rest of the cavalcade.

Thus *prelacy* was restored in triumph; but without the Remarks.
least shadow of the church's consent or authority, nay,
in opposition to many ecclesiastical acts, as yet unrepeal-
ed; and therefore it was no wonder though many look-
ed upon them as *intruders*. Besides, the managers knew
too well that they durst not run the hazard of having
this change made in any considerable meeting of the mini-
sters

1662. *sters of Scotland: And therefore prelates and prelacy were introduced entirely by the supremacy. And upon this footing the parliament gave their consent to, and settled episcopacy in their second session; the proceedings of which I am now briefly to relate, when I have observed, that, May the 7th, the commissioner in council declared, that it is his majesty's royal will and pleasure, that the earl of Tweeddale's restraint be taken off. But then he and others must be taught, by his eight months imprisonment and confinement, how dangerous it would be to speak according to their conscience, and in any thing to contradict the measures of the court.*

The parliament sat down. The parliament had been adjourned to *March*; but it being resolved that the bishops should sit in the house, and matters not being as yet concerted for their consecration, it was deferred till that should be over. Accordingly, on the 8th of *May*, the parliament sat down; and if ever *iniquity was established by law*, it was remarkably so in this session, as appears by their following acts.

An restoring episcopacy. The very first which passed, was, *Act for the restitution and re-establishment of the ancient government of the church by archbishops and bishops*; which begins thus: 'Forasmuch as the ordering and disposal of the external government and policy of the church doth properly belong unto his majesty, as an inherent right of the crown, by virtue of his royal prerogative and supremacy in causes ecclesiastical'——So that this act

Remarks. was founded entirely upon the king's *supremacy*. The bishops were already set up by his majesty's *sole authority*, and therefore it was very fit that they should lean entirely upon that foundation. By this act the king was made the only fountain of church-power, and that exclusive of Christ the only HEAD of the church, of whom there is not the least mention. And the reader may judge, whether any could, with a safe conscience, take the oath of *allegiance*, or rather *supremacy*, formerly mentioned, who was persuaded that there was no visible head of the church upon earth, or submit to *prelacy*, as thus established, especially when we consider the exorbitant power that was put into the hands of bishops; For by this act they were 'restored to the exercise of their *episcopal* function, precedence in the church, power of ordination, inflicting of censures, and all other acts of church-discipline, which they are to per-


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‘ form with advice and assistance of such of the clergy 1662.
 ‘ as they shall find to be of known loyalty and prudence. ~~~~~
 ‘ —And, farther, it is hereby declared, That, what-
 ‘ ever shall be determined by his majesty, with the ad-
 ‘ vice of the archbishops and bishops, and such of the
 ‘ clergy as shall be nominated by his majesty, in the
 ‘ external government and policy of the church (the
 ‘ same consisting with the standing laws of the kingdom)
 ‘ shall be valid and effectual.’ —Bishop Burnet himself p. 143.
 owns, that this was plainly the setting episcopacy on
 another bottom than it had been ever on in Scotland be-
 fore this time.’

Their 2d act was for *the preservation of his majesty's* ^{Act for}
person, authority and government; in which it was de- ^{preserving}
 clared to be treason for subjects, upon pretence of re- ^{the king's}
 formation, or any other pretence whatsoever, to enter ^{person.}
 into leagues and covenants, or to take up arms against the
 king, or those commissioned by him; and, consequent-
 ly, passive obedience and non-resistance were hereby esta-
 blished; and, had this been observed in all time coming,
 the REVOLUTION had never taken place. It was like-
 ways declared, That the *national covenant* and *solemn*
league and covenant were unlawful oaths, and that there
 lay no obligation on the subjects from these oaths.
 Thus they assumed the *pope's* power in *dispensing with*
oaths. And, to compleat all, they repealed all acts, ec-
 clestialtical and civil, approving the *covenant*, particu-
 larly the acts of the assembly at *Glasgow* 1638. In short,
 it was declared, That, if any should speak, write, preach,
 print, or pray any thing tending to stir up a dislike of
 his majesty's prerogative and supremacy in causes ec-
 clestialtical, or the government by archbishops and bi-
 shops now settled, should be incapable of any publick
 trust. All this plainly shews that *prelacy* in the church
 of *Scotland* was the road to tyranny in the state.

By their 3d act, all ministers entred since 1649. were ^{3d act.}
 ordered to take presentations from their respective pa-
 trons, and receive collation or admission from the bi-
 shops; so that they must either look upon all they had
 formerly done in the ministry to be invalid, and submit
 to *prelacy*, contrary to their consciences, or quit their
 charges. And, the better to transmit *prelacy* to posterity,

By their 4th act, all masters of colleges, who refus- ^{4th act.}
 ed to submit to *episcopacy*, and take the oath of *allegi-*
ance, were ordered to be turned out. Ministers were or-
 dered

1662.  dered to attend the diocesan synods, and assist in all things, as they shall be required by the bishops, under very severe penalties. In a word, all private meetings, or conventicles in houses, under pretence of religion, were, by this act, discharged, and none were to preach, keep school, or be pedagogues to persons of quality, without the bishop's licence. Remarks upon these arbitrary laws, and open restraints upon conscience, are, I suppose, needless. But, to compleat the work,

By their 5th act, all persons in publick trust were ordained to subscribe the following DECLARATION.

The declaration.

I—do sincerely affirm and declare, that I judge it unlawful to subjects, upon pretext of reformation, or any other pretext whatsoever, to enter into leagues and covenants, or to take up arms against the king, or those commissioned by him; and that all those gatherings, convocations, petitions, protestations, and erecting or keeping of council-tables, that were used in the beginning, and for the carrying on of the late troubles, were unlawful and seditious: And, particularly, that these oaths, whereof the one was commonly called the *national covenant* (as it was sworn and explained in the year 1638. and thereafter) and the other, intituled, *A solemn league and covenant*, were and are, in themselves, unlawful oaths, and were taken by and imposed upon the subjects of this kingdom against the fundamental laws and liberties of the same; and that there lieth no obligation upon me, or any of the subjects, from the said oaths, or either of them, to endeavour any change or alteration of the government, either in church or state, as it is now established by the laws of the kingdom.

By this all are obliged to condemn the *covenants*, and declare that they laid no obligation upon any. Surely nothing could be so unaccountable, as to declare that they who *had taken* these sacred oaths were loosed from their obligation. Here perjury of the deepest dye was made the necessary qualification of all in publick office. In short, the whole work of reformation, since the year 1638. was thereby renounced, defensive arms declared unlawful, conscience enslaved, and tyranny allowed to reign triumphant.

Act of indemnity. Prelacy being thus settled towards the end of the session, they at length passed an *act of indemnity* and oblivion,

on, which had been granted in *England* almost as soon 1662.
 as the king came home; but his *ancient* kingdom must
 not enjoy such a favour, till the *prelates* had their main
 interests secured, tho' it is well known that the *Scots*
 presbyterians crowned him, fought for him, and suffer-
 ed exceedingly under the usurpation. So from this in- *Excepti-*
 demnity were excepted *John Hume, William Dundas, the ons.*
Campbells of Ardkinglas and Ormsay, and all who had
 been declared fugitives by the committees of estates and
 parliament since the year 1660. This indemnity was
 farther clogged by an *act of fines* for the relief of the *Act of*
 king's good subjects who had suffered in the *late trou-* *fines.*
bles, as they generally termed the *reformation* since the
 year 1638. The parliament appointed a committee for
 pitching upon the persons to be fined, and the sums each
 were to pay. Accordingly they made up a list of about
 900 noblemen, gentlemen, and others, which the par-
 liament readily approved of, together with the sums
 they were to pay, which made in all 1,017,353 L. 6 s.
 8 d. *Scots* money, which is above 84,779 L. *Sterling*.
 The curious reader may see the list in Mr. *Wodrow's* ap-
 pendix, N. 33. It was then observed, that some men- *Remarks*
 tioned in the list were dead, or had never a being, some
 were sucking infants, and others were subsisted out of
 the weekly collections for the poor. And, generally
 speaking, these fines were imposed upon those who
 were reckoned the soundest *presbyterians*. *Middletoun*
 thought to have got this money, but it fell into other
 hands. How this *act of fines* was put in execution we
 shall see afterwards. In short, this act of favour was
 farther clogged by the *balloting act*, by which 12 persons *Balloting*
 were to be secluded from places of trust, who were to *act.*
 be named in parliament by *balloting*. This was a con-
 trivance of *Middletoun's* to turn out *Lauderdale, Craw-*
ford and *Sir Robert Murray*: But it occasioned his own
 disgrace; for the king was so displeased therewith, that
 when the duke of *Richmond*, *Sir George MacKenzie*, and *Burnet*,
 lord *Tarbat*, delivered the *balloting act* to him, his ma- *P. 151,*
 jesty said, that *their last actings were like madmen, or men* *152.*
that were perpetually drunk.

This parliament issued a proclamation for keeping the
 29th of *May*, with certification, that those ministers
 who would not observe it should be deprived of their
 benefices; whereupon many, without being either sum-
 moned or heard, were deprived of their stipends for that
 year,

1662. year, and the non-observance of it became the occasion of great trouble to many faithful ministers.

The observation of the 29th of May.

This thanksgiving was observed with the usual solemnities in cities and burghs: But the town of *Linlithgow* signalised itself by a most horrid contempt of the covenants and work of reformation, whereof I shall give both a just relation of fact, and a display of the spirit of the party.

When divine service was ended, the streets were filled with bonfires. The magistrates invited the earl of *Linlithgow* to honour them with his presence, which he did. Then coming to the market-place, where was a table covered with confections, they were met by the curate, who having prayed and sung a psalm, they eat a few of the confections, and threw the rest among the people, the fountain all that time running *French* and *Spanish* wines. — At the cross was erected an arch standing upon four pillars: On the one side of the arch was erected a statue in form of an old hag, having the covenant in her hands, with this inscription, A GLORIOUS REFORMATION. On the other side was another statue in a *Whigmuir's* habit, having the remonstrance in his hand, with this inscription, NO ASSOCIATION WITH MALIGNANTS. On the top of the arch was placed a statue representing the devil as an angel of light, with this label at his mouth, STAND TO THE CAUSE.

The arch was beautifully adorned with several draughts of rocks, reels, and kirk-stools upon the pillar beneath the covenant: And upon the pillar beneath the remonstrance were drawn brechams, cogs and spoons. Within the arch was drawn a committee of estates, with this inscription, ACT FOR DELIVERING UP THE KING. On the left hand was drawn a commission of the kirk, with this inscription, ACT OF THE WEST KIRK. In the middle of the arch hung a table with this litany,

*From covenanters with uplifted hands,
From remonstrators with associate bands,
From such committees as govern'd this nation,
From kirk commissions, and their protestation,
Good LORD deliver us.*

Upon the back of the arch was drawn the picture of rebellion, in a religious habit, with eyes turned up, and other

other fanatick gestures, in its right hand holding LEX 1662
 REX, and in his left THE CAUSES OF GOD'S
 WRATH. There lay, round about, acts of parliament,
 acts of committees of estates, acts of assemblies, &c. dur-
 ing these 22 years of rebellion. Above her was this su-
 perscription, REBELLION IS AS THE SIN OF
 WITCHCRAFT. At drinking the king's health
 fire was put to the frame, and suddenly all was consum-
 ed to ashes, and then appeared a table supported by
 two angels, bearing this inscription.

*Great Britain's monarch on this day was born,
 And to his kingdoms happily restor'd:
 The queen's arriv'd, the mitre now is worn,
 Let us rejoice, this day is from the Lord.
 Fly hence, all traitors who did mar our peace,
 Fly hence, schismatics who our church did rent,
 Fly, covenanting, remonstrating race;
 Let us rejoice that God this day hath sent.*

Then the magistrates accompanied the earl of Lin-
 lishgow to the palace, where was a great bonfire, and
 where were drunk the healths of the king, queen, &c.

From the whole, I question whether such a bold in-
 sult upon religious matters is to be paralleled; for some
 who were chiefly concerned in this mock pagentry, par-
 ticularly *Robert Milne*, one of the magistrates, and *Mr.*
Ramsay the minister, had taken the covenants, and, con-
 sequently, now publickly avowed their perjury, and
 left a blot upon their memory.

During this session of parliament the reverend *Mr. Mr.*
Robert Baillie, who was justly reckoned among the great *Robert*
 men of his time, died of grief, on account of the sad al- *Baillie*
 terations then made; he faithfully declared his senti- *died of*
 ments as to prelacy, in two letters to *Lauderdale*, which *grief.*
 are inserted by *Mr. Wodrow*.

Soon after the act restoring episcopacy was passed, *Prosecuti-*
 the following ministers; viz: Messrs. *John Carstairs* at *on of se-*
Glasgow, *James Nasmyth* at *Hamilton*, *Matthew Mowat* *veral mi-*
 and *James Rowat* at *Kilmarnock*, *Alexander Blair* at *Gal-* *nisters.*
stoun, *James Veitih* at *Mauchlin*, *William Adair* at *Air*,
 and *William Fullerton* at *St. Quivox*, were all summoned
 before the parliament, for a terror to others who stood
 firm to their principles; and, because no indictment
 could be found against them, they were brought before
 the lords of the articles, and, as a test of their loyalty,

R

were

1662. were required to take and subscribe the *oath of allegiance and supremacy*. They declared their willingness to comply, upon condition of being allowed to explain the oath, and accordingly they all, except Mr. *Adair*, subscribed their sense of it in a paper which they presented to the house on the 28th of *May*. When the chancellor received the paper, and observed that Mr. *Adair* had not signed it, he ordered him to withdraw by himself, and six of these ministers (for Mr. *Fullerton* was dismissed) were closely confined, 3 and 3 in one room, to the great prejudice of their health, without allowing any to have access to them. After some weeks they were sentenced to be banished, when the commissioner and council should think fit to order their transportation: However, Mr. *Carstairs* having fallen dangerously ill, he was permitted to go to *Dalkeith* for his health, and thereby escaped. And the managers, being apprehensive of the consequences of such rigour, thought proper to allow them some more liberty, and suffer their friends to see them, and some of them to go out of town for their health.

Proceed-
ing a-
gainst lord
Lorn.
Burnet,
p. 148,
149.

At this time the parliament's proceeding against the lord *Lorn*, the eldest son of the late marquis of *Argyll*, was most unprecedented and severe; for, having wrote to the lord *Duffus* complaining of the practices of his enemies, in endeavouring to pre-pose the king against him by lies, this letter was intercepted, carried into parliament, and complained of as *leasing-making*. Accordingly the parliament desired the king to send him down to be tried upon it. Though his majesty thought the letter indiscreetly wrote, he could not see any thing in it that was criminal; yet, in compliance with so zealous a parliament, *Lorn* was sent down upon his parole: But the king wrote positively to *Middletoun* not to proceed to the execution of any sentence that might pass upon him. His lordship came down to *Edinburgh*, July 17th, and was charged to appear, that very afternoon, at the bar of the house. After a handsom speech he was committed close prisoner in the castle; and on the 26th of *August* received sentence of death. *Burnet* says, He was certainly born to be the signalist instance in this age of the rigour, or rather of the mockery, of justice. However, as the time of his execution was left to the king's appointment, we shall find afterwards a remission granted him.

On the 3d of September the Campbells of Ardkinglass 1662. and Ormsay were forfeited and declared traitors, for some alledged crimes long ago committed against some of the name of Lamont. Some forfeited.

Mr. James Hamilton, Mr. George Hutchison, and Mr. John Smith, ministers of Edinburgh, were silenced and deprived by the parliament, for disobedience to their bishop; and the rest were given to understand, that they were to meet with the same punishment and censure if they did not submit to their ordinary. An end was put to this * session of parliament on the 9th of September.

While these things were transacting the *presbyterians* in England were made to feel the sad effects of restoring the king without terms; for *episcopacy* having been re-established upon his majesty's return, about 2000 ministers were, upon the 24th of August this year, ejected by the *act of uniformity* that took place that day, by which they were brought under great and intolerable hardships. Many holy and excellent ministers, says Dr. Calamy, were quickly after laid in goals in many counties in the land, for the heavy crime of preaching and praying. And thus *protestants* persecuted *protestants* through the whole island, when it was a rare thing to see a *papist* in the least molested. But to return to the affairs of Scotland. Act of uniformity. Calamy.

The next day after the parliament rose the council met, and ordered all parsons, vicars and ministers, to repair to, and attend upon the *diocesan* meetings, as they shall be appointed by the archbishops and bishops, otherways to be accounted contemnners of his majesty's authority, and to incur the censures provided in such cases, and all other meetings of ministers were henceforth to be held as seditious. Accordingly the 2d Tuesday of October was appointed for the dioceses of St. Andrews, Glasgow, Edinburgh, Dunkeld, Brechin and Dumblain, and the 3d Tuesday for those of Galloway, Aberdeen, Murray, Ross, Caithness, Isles, Argyll and Orkney.

It

* N. B. Such was the zeal of this parliament for *prelacy*, that they made an order for razing the monument that had been erected on the grave of the reverend Mr. Alexander Henderson in the Greyfriars church-yard, Edinburgh. He was moderator of the general assembly 1638. and of several after assemblies, and died 18th August 1646.

1662. It is plain that no *presbyterian* ministers could attend or give countenance to these assemblies, without renouncing their principles; and accordingly these meetings were very ill attended, except in the north.

A tour to the west.

In order therefore to put this act in execution, and to confer the greater honour upon the bishops in the western and southern shires, where they were generally disliked, the commissioner and chancellor, with the earls of Morton, Linlithgow and Calender, and the lord Newburgh, made a tour to the west country with great pomp and ceremony, and were regaled in many places thro' which they passed. And, as these entertainments were generally to excess, this was particularly the case at *Ayr*, where, about the middle of the night, in one of their debauches, the devil's health was drank at the cross. Such were the reformers of this period, and these the promoters of *prelacy*!

Fairfoul's proposal.

On the 26th of September they came to *Glasgow*, where *Fairfoul* the archbishop complained to the commissioner, that, notwithstanding the act of parliament, there was not one of the ministers ordained since 1649. had owned him for bishop; that he had only the hatred which attends that office in *Scotland*, without the power; and that the new made bishops would be mere cyphers, if his grace did not fall upon some more effectual method. The commissioner desired he would make some proposal, with which he would readily comply. *Fairfoul* moved that the council would agree upon an act and proclamation expressly banishing all those ministers from their houses, parishes and presbyteries, unless they received *collation* or admission from the bishop before the 1st of November, assuring the commissioner there would not be ten in his diocese who would not comply.

Drunken meeting at Glasgow, p. 154.

Upon this the council met at *Glasgow*, in the college fore-hall, on the 1st of October. Bishop *Burnet* says, That Duke *Hamilton* told him they were all so drunk that day, that they were not capable of considering any thing that was laid before them, and would hear of nothing but the executing of the law without any relenting or delay. When the council met the commissioner laid before them the motion made by *Fairfoul*, and urged the necessity of supporting the bishops brought in by the king and parliament. Duke *Hamilton*, according to *Burnet*, as well as Sir *James Lockhart* of Lee,

Lee, strenuously opposed the motion. However, no reasoning could have any weight with men who were resolved upon establishing *prelacy* right or wrong; accordingly the act passed, ordering all the ministers, who had entred since the year 1649. and would not receive *collation* or *admission* from the bishop, before the first of *November* following, to be deprived of their stipends for the current year, and to remove from their parishes and presbyteries, discharging them from exercising any part of their ministerial office after that time; and that none of their parishioners repair to their sermons, under the pain of being punished as frequenters of private conventicles and meetings. But, as duke *Hamilton* signed this act, as well as others, it would seem that he did not make that opposition which *Burnet* represents.

This was the famous act of *GLASGOW*, whereby the most part of the west and south of *Scotland* was deprived of ministers. However, the managers were soon convinced that they had taken a wrong step; for, after the commissioner's return, accounts being daily brought of the dismal consequences of their late proceedings, they met on the 4th of *November*, and wrote to the archbishops of *St. Andrews* and *Glasgow*, to repair, as soon as possible, to *Edinburgh*, to give their advice at such a critical juncture. However, nothing was concluded in this affair before the 23d of *December*, when the council gave ministers till the first of *February* to come and receive collation or admission from the bishops, as above, or else to remove out of their parishes, presbyteries, and the dioceses of *St. Andrews* and *Edinburgh*; and ordered all persons to repair constantly to their own parish-churches, &c. This was the last time that *Middletoun* sat in the council; for soon after he went up to *London*, where he suffered no small inconveniencies; and, for ought appears, never returned any more to *Scotland*.

Besides this general thrust made by the *Glasgow act*, Proceedings at all the ministers who could not in conscience comply with *prelacy*, many, both ministers and others, met with cruel and unjust usage. Accordingly, on the 16th of *September*, because several who were persecuted in the country repaired to *Edinburgh*, the council ordered the magistrates of that city to oblige all their burghesses and inhabitants, every evening, to give an account of their lodgers, under such penalties as the said magistrates should inflict. And the same day ordered all the

1662. the ministers of the town, who would not own the present establishment, not only to desist from the exercise of their ministry, but also to remove from the city at *Martinmas* next, which was more than the act of parliament authorised. But the council made no scruple to exceed the penalties inflicted by the parliament, and to assume to themselves a paramount power. The ministers submitted, except *Mr. Robert Lawrie*, called the *Nest egg* by the common people, who conformed to *prelacy*, and soon after died under remorse. Thus were the ministers of *Edinburgh* turned out, and were succeeded by persons that could in nothing be compared with them.

Act a-
gainst
Mr. Car-
gil and
Mr.
Wylie.

At *Glasgow* the council, after ordering letters of intercommuning against *James Campbell* of *Ardkinglass*, and *James Campbell* of *Ormsay*, passed an act against *Mr. Donald Cargil* minister of the *barony-church* at *Glasgow*, for not observing the 29th of *May*, and for not obtaining a presentation and collation from the archbishop of *Glasgow*, declaring his church to be vacant, and ordering him to transport himself, family and effects, before the 1st of *November* following, to the north side of the river *Tay*, under the penalty of being imprisoned and prosecuted as a seditious person. The reader will observe, that his preaching against the defection and sins of that time was what was then constructed sedition. The like act was passed against *Mr. Thomas Wylie* minister at *Kircudbright*, who, with the other brethren of that presbytery, continued preaching, and kept their presbyteries, notwithstanding the act made against all such meetings. But through the interposition of lady *Cochran* that sentence was stopt as to *Mr. Wylie* for two months longer.

Process a-
gainst Sir
James
Stuart

Mr.
MacKail
goes a-
broad.

Mr.
Brown
imprison-
ed.

On the 6th of *November* the council commenced a process against *Sir James Stuart* late provost of *Edinburgh*, and his second son, for entertaining in their family *Mr. Hugh MacKail*, who, they pretended, had, in a sermon, abused the King and the government in church and state; which, when strictly examined, came to nothing. So *Sir James's* son, whom they had imprisoned, was set at liberty, but died soon after; and *Mr. MacKail* went abroad, to accomplish himself by travelling for some years, and, upon his return, became the greater object of the *prelates* malice, as we shall hear.

The same day the learned, zealous and pious *Mr. John Brown*, minister at *Wamphray*, was ordered to be imprisoned for speaking against those who countenanced the

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the *diocesan* assemblies. Great were the hardships he underwent in prison, for he was denied even the necessities of life; and tho', because of the ill treatment he met with, he was brought almost to the gates of death, yet he could not have the benefit of the free air, until he signed a bond obliging himself to a voluntary banishment without cause. 1662.

On the 18th of *November* the council ordered that *Council's* the following ministers, viz. Messieurs *John Livingstone* *at a-* at *Ancrum*, *Samuel Austin*, *John Neave* at *Newmills*, *John Carstairs*, *Matthew Mowat*, *Robert Trail*, *James* *against* *Nasmith*, *Andrew Cant* elder, *Alexander Cant* his son, *several* *mini-* *John Menzies*, and *George Meldrum* at *Aberdeen*, *Alex-* *ander Gordon* at *Inverary*, *J. Cameron* at *Kilsfennau*, and *James Gardiner* at *Saddle*, do, upon notice given them, repair to *Edinburgh*, and appear before the council against the 9th of *December* next. They likewise ordered *Mr. Gilbert Rule* and *Mr. John Drysdale* to be secured; but neither of them was apprehended. The design whereof was to force them either to comply with the bishops, or be banished their country.

On the 11th of *December*, for it does not appear there *Mr.* was any sederunt on the 9th, to which the ministers *Living-* above mentioned were summoned, the eminent and *stone ex-* worthy *Mr. John Livingstone* was examined before the *amined.* council; and though he acknowledged the king as the only lawful, supreme, *civil* governor over all persons, and in all causes ecclesiastick as well as civil, yet, because he would not promise to keep the *anniversary* of the 29th of *May* for the future, nor take the oath of *alliance* in the terms in which it was expressed, they ordered *Banished* that, within two months, he should remove out of his majesty's dominions, and within 48 hours depart from *Edinburgh* to the north of the *Tay*, and remain there till he should leave the country, without being permitted to see his wife and family. Upon receiving this cruel sentence, he said, 'Well, although it be not permitted to me to breathe in my native air, yet, I trust, whatsoever part of the world I go into, I shall not cease to pray for a blessing to these lands, to his majesty, and the government, and the inferior magistrates thereof, but especially to the land of my nativity.' Upon this they told him, that he must either go to prison, or subscribe his acquiescence to the sentence; which last he complied with, and accordingly subscribed the following bond. I Mr.

1662. **I** Mr. John Livingstone, late minister, of Ancrum,
bind and oblige me, that I shall remove myself
His bond. forth of his majesty's dominions within the space of
' eight weeks after the date hereof; and that I shall
' not remain within the same hereafter, without licence
' from his majesty or privy-council, under the pain of
' death; and that I shall depart from *Edinburgh* to the
' north side of *Tay*, and there remain while my depar-
' ture; and that my going off from *Edinburgh* shall be
' within forty eight hours after the date hereof. Sub-
' scribed at *Edinburgh*, December the 11th, 1662.'

JO. LIVINGSTONE.

His suc- This Mr. Livingstone was honoured remarkably of
cess in the God to be the instrument of the conversion of thou-
ministry. sands. In the year 1630. by his sermon on the *Mon-*
day after the communion at the *Kirk of Shots*, from
Ezek. xxxvi. 26. about five hundred persons dated their
saving change. About two or three years after, such a-
nother, and a more plentiful effusion of the spirit attend-
ed a sermon of his at a communion at *Hollywood* in
Ireland, where about a thousand were brought home to
Christ. And great success attended him in the ordinary
course of his ministry. He was one of those who was
sent to the king at *Breda*, and the person who tendered
the covenant to his majesty before he landed in *Scotland*.
What to think of the *prelates*, who could not be easy
till they had got rid of such a man as this, must be left
to the reader. He went to *Holland*, where he lived till
Went to August 1672. and then entered into the joy of the Lord.
Holland. While in *Holland* he made a *Latin* version of the old tes-
tament, which, though approved by many great men, was
never printed.

Messrs. The same day Mr. James Gardiner and Mr. Robert
Gardiner Trail were in like manner sentenced to banishment,
and Trail for refusing to take the oath of allegiance, and obliged to
banished. subscribe each of them a bond as Mr. Livingstone had
done, with this difference, that they were to remove in
a month; however, the council was pleased to give Mr.
Trail a little more time.

Mr. On the 16th of December Mr. John Menzies and
Menzies Mr. George Meldrum appeared before the council, and
and Mr. declaring their readiness to comply with the present es-
Mel- tablished church-government, so far as to join in presbyte-
drum. ries

ries and synods, and to take the oath of allegiance, they 1662 were recommended to the archbishop of St. Andrews in order to their restitution. We shall see how burdensome this compliance became to Mr. Menzies before his death. Mr. Meldrum was ordained by the presbytery of Aberdeen 1659. but was stopt in the exercise of his ministry by the above mentioned act at Glasgow, about fourteen days before the bishop of Aberdeen's first diocesan synod, at which the bishop passed a sentence of deposition against him and the learned and pious Mr. Menzies, for not subscribing to the oath of canonical obedience, though they offered submission to the present church-government; however, the council, finding them so far willing, recommended them both to the primate, in order to their being restored. When this was presented to the bishop, he readily promised to obey it, and never spoke to them one word of the oath of canonical obedience: When, in his letter to the bishop of Aberdeen, he signified that they were willing to own the government, Mr. Meldrum refused to receive it, unless he added this qualification, *so far as to join in presbyteries and synods*; to which the primate agreed, since they would take it in no other terms. However, Mr. Meldrum declared his sorrow for that submission, though he never took the oath of canonical obedience. He was remarkably useful, with his colleague Mr. Menzies, in Aberdeen, against the quakers and jesuits, till the self-contradictory test turned him out of that city. And after he had, with many faithful ministers, suffered no small persecution till king James's toleration, he was settled at Kilwinning, and from thence translated to Edinburgh, where he filled the chair of divinity with much reputation.

On the 23d of December Mr. John Neave appeared Mr. before the council, and was obliged to sign a bond to Neave, remove out of the nation against the first of February, up- &c. on his refusing the oath of allegiance; and for the same cause Mr. John Cameron was ordered to confine himself within the bounds of Lochaber. Mr. James Nasmyth and Mr. Samuel Austin were referred to the commissioner, who was to deal with them as he saw proper; but he soon left the country, and it seems he remitted Mr. Nasmyth to the council, who ordered him to confine himself within the bounds of the sheriffdom of Merser. Mr. Alexander Dunlop minister at Paisley was likewise sentenced to be banished, for the same reason with the
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rest,

1662. rest, but happened to be overlooked. Mr. *Alexander Gordon* was prevented, by a violent fever, from being ordered before them. Thus messieurs *Livingstone, Trail, Brown, Neave* and *Gardiner* went over to *Holland*, which, at that time, was the asylum of the banished, merely for refusing the oath of allegiance, though all of them were willing to take it in the same sense the managers said they had themselves taken it.

C H A P. V.

Of the dismal effects of the ejection of near 400 ministers. Of the acts and proceedings of the council and parliament, the execution of lord Waristoun, and the sufferings of others during the year 1663.

1663. **B**Y the act of *Glasgow*, spoke of in the preceeding chapter, above a third part of the ministers in Scotland were thrust from their charges, amounting to near 400. And the hardship was the greater, that, generally speaking, they were persons of remarkable grace and eminent gifts, godly and laborious, a great many of them learned and able ministers, all of them singularly dear to their people, and most of them had suffered under the usurpation for their loyalty to the king, and refusing the tender; so that all the *presbyterians* in Scotland suffered in a most sensible part, by being deprived of them, especially as those who were intruded into their charges were men of a quite different character.

Character of the ejected ministers. Bishop *Burnet* says, that the prejudices of the people against *episcopacy* was out of measure increased by the incumbents who were put in the places of the ejected preachers, who were generally very mean and despicable in all respects; that they were the worst preachers he ever heard; were ignorant to a reproach, and many of them openly vicious; they were a disgrace to their sacred functions, and were indeed the dreg and refuse of the northern parts; those of them who rose above contempt or scandal were men of such violent tempers, that they were as much hated as the others were despised.

The people would not hear them. It is easy then to perceive how dismal the circumstances of *presbyterians* were at that time, when so many places, especially in the west and south, were left destitute; for the most part in the north country conformed. They could not in conscience hear the new incumbents, called

called by the country people *curates*, because, in so doing, they would have countenanced those who had broken the *covenant*, and overturned the whole work of reformation : This would have been a virtual acknowledgment of the *authority* of the *prelates*, and an approbation of that *wicked act* by which their own lawful ministers were *ejected*. Besides, these *curates* had not the qualifications of ministers, for they were neither sound in the faith, nor moral in their practice; neither had they a right to officiate in the places where they were thrust in, because, instead of having the consent and approbation of the people, they were imposed upon them by compulsion and violence.

As the people could not hear the new incumbents, in many places they had 20 miles to go before they could hear sermon; some of them repaired to the older ministers, who were not affected by the act of *Glasgow*; they who could not reach them frequented the family-worship and exercises of the *ejected* ministers. And the numbers that came to their houses were so great, that several of them were obliged to preach without doors, and at length to go to the open fields. This was the original of field-meetings in *Scotland*, which afterwards made so great a noise, that, some years after, it was made death by law, first to the minister, and then to the hearers.

Original
of field-
meetings.

The ejection of so many excellent men could not fail to lay the foundation of much distraction and trouble, especially as it was for adhering to their known and professed principles, even to the doctrine, worship, discipline and government of the church of *Scotland*, and to those sacred *covenants* which they had frequently sworn and often renewed. This was the cause for which they were obliged to wander, with their numerous families, many of them knew not whither, and that too in the winter-season : But a good and gracious God wonderfully provided for them and theirs, to their own confirmation and amazement.

Scotland was never witness to such a sabbath as the last on which these ministers preached. It had not its parallel, except to the *presbyterians* in *England* on the 17th of *August* the preceeding year; for it was a day of mourning and lamentation, and the beginning of great sorrow to the godly through the nation.

Before

1663.

Before considering the acts of council and parliament this year, I observe that in *February* died Mr. *David Mitchell*, who was made first bishop of *Aberdeen* after the restoration, tho' his character did not merit any elevation in the church, and was succeeded by Mr. *Alexander Burnet*.

This Mr. *Mitchell* had determined to go to the church of *Maryculter*, in the presbytery of *Aberdeen*, and declare the same vacant, but, as I am assured by a worthy minister now at *Aberdeen*, he died the *Saturday* night before; so that the pious and excellent Mr. *Leask*, minister of that parish, notwithstanding his non-conformity, possessed his church till the year 1670. either, as my informer says, through some indulgence of bishop *Scougal*, or some remarkable restraint he was under. When Mr. *Leask* was on his death-bed, the episcopal incumbent of *Peterculter* went to see him, and asked him what his thoughts were now. To which the holy man replied, *I am dying in the faith of what I have held, and am as full of glory as a clay vessel can hold*: Then bowed his head and died. There are other two instances of *presbyterian* ministers in the synod of *Aberdeen* that kept their parishes notwithstanding the act of ejection, of which I have an account from the same person, which may be depended upon, viz. that of Mr. *Dumbar* minister at *Kearn* in the presbytery of *Alford*, who, partly protected by lord *Forbes*, whose parish-minister he was, and partly by his insignificant benefice of 300 merks, continued many years, till he died, and Mr. *Gilbert Clark*, minister at *New-Deer* in the presbytery of *Deer*, having been chaplain to colonel *Keith*, afterwards earl marshal, and called king in *Buchan*, was protected in his church by him till the time of the test, when the earl could not keep himself in any publick office without taking that self-contradictory oath. Mr. *Wodrow* has given a large list of the ejected ministers, &c. *Appen. No. 37.* to which I must refer.

Middle-
toun
turned out.

When the earl of *Middletoun* went to *London*, about the end of the last year, he met with a very cold reception from his majesty; for the earl of *Lauderdale* his rival had opened up his unjust proceedings with respect to the act of fines, whereupon his majesty wrote to his privy-council in *Scotland*, dated *January* the 23d, ordering them to issue out a proclamation for suspending the execution of the said act till farther orders. The council

received

received this letter on the 12th of February, and the same day drew up a proclamation accordingly. But next day they received a letter from *Middletoun*, desiring them, in his majesty's name, to do nothing in that affair, and therefore they stopt the publishing of the proclamation, and recommended to the lord chancellor to write to the commissioner *Middletoun* to signify the same to his majesty. The king was so displeased, upon receiving this information, that, on the 10th of March, he sent another letter to the council requiring the orders he had given in his former to be punctually obeyed. And therefore the chancellor ordered the proclamation to be published at the cross of *Edinburgh*, for which he had the council's approbation and thanks. *Lauderdale*, having now got the king's ear, managed his affairs so well that *Middletoun* was obliged to resign all his places.

During these things *Sharp* was prevailed with to go to court. He promised to the earl of *Middletoun's* friends that he would stick firm to him, and lay before the king, that his standing or falling must be the standing or falling of THE CHURCH. Of this the earl of *Lauderdale* had advice sent him. Yet when *Sharp* came to London, and saw that the king was alienated from *Middletoun*, he resolved to make great submissions to *Lauderdale*. When he reproached him for his engagements to *Middletoun*, he denied all, and said he had never gone farther than what was decent, considering his post. He also denied that he had wrote to the king in his favour; but the king had given the original letter to lord *Lauderdale*, who upon that shewed it to *Sharp*, with which he was so struck, that he fell a crying in the most abject manner. He begged pardon for it, and said, What could a company of poor men refuse to the earl of *Middletoun*, who had done so much for them, and had them so entirely in his power? *Lauderdale*, upon this, comforted him, and said he would forgive them all that was past, and would serve them and the CHURCH at another rate than lord *Middletoun* was capable of doing. So *Sharp* became wholly his.

Middletoun after this lived in obscurity, till the governor's place at *Tangier* fell vacant by the death of the lord *Rutherford*, when the king was prevailed upon to confer that post upon him, as a reward for establishing prelacy in Scotland. And thus, after he had banished so many worthy and excellent ministers, he was himself

1663.

Sharp's
conduct.
Burnet,
P. 200,
201.

governor
of Tan-
gier.

1663. self sent to die in a foreign land. He lived in contempt there for a little while; and at last, by a fall, he broke the bone of his right arm, and the broken bone, at another fall down a pair of stairs, pierced his side, and wounded him in such a manner, that he first turned stupid, and very quickly died. Mr. *Wodrow* says, that, at the time of taking the covenant, such was his zeal for it, that, coming from the place where he and several more had taken it, he said to some gentlemen and others about him, 'That *this* was the pleasantest day ever he had seen, and if ever he should do any thing against that blessed work he had been engaging in, holding up his right hand, he wished to God that might be his death.' Thus fell the great overturner of the reformation in Scotland.

Alterations.

Upon *Middletoun's* resignation *Lauderdale* had the management of the Scots affairs committed to him, and came down to Scotland along with the earl of *Roths*, who was made the king's commissioner to the ensuing session of parliament, and the earl of *Tweeddale* was made president of the council.

Ministers of Galloway and Dunkeld ejected.

During these things the council had scarce done with persecuting the west country ministers, before they commenced a new process against a greater number in the synod of *Galloway*, to which it is likely they were instigated by the bishop of that diocese, because few or none of them had conformed, or attended on their meetings. Accordingly, on the 24th of *February*, the council ordered about 26 of them to remove, with their wives, children, servants and substance, from their houses, and the bounds of their respective presbyteries, by the 24th of *March*, at the same time prohibiting them to exercise any part of their ministerial office, and to appear on the said day before the council. Accordingly 9 of them appeared, and declared, that, rather than conform to the present establishment, they were willing to remove; however, the prosecution against them was postponed, and all the others, who did not appear, were obliged to leave their churches and habitations, though some of them had been ordained before the year 1649. and consequently were not included in the *Glasgow* act of ejection. And about 14 ministers of the diocese of *Dunkeld* were served in the same manner. Such were the desolations which were then made at the instigation of the prelates!

On the 3d of *March* the council appointed one Mr. *John Wilkie* to collect the vacant stipends, which were now very many, and would amount to a considerable sum, with power to distribute them among those whom they called *sufferers* in the late times ; but though the *presbyterians* were among the *greatest*, and were now brought under intolerable hardships, they got no share thereof. At the same time the *diocesan* meeting in *Galloway* was postponed to the 2d *Wednesday* of *May*, because few or none of the ministers there would countenance it.

And though, on the 24th of *March*, they recommended to each of the bishops to use their utmost endeavours to suppress the dreadful growth of popery, yet they acted in this matter with a very slack hand ; whereas, had they been as zealous for suppressing popery as they were for rooting out of *presbytery*, they would not have found much difficulty.

The same day they desired the lord chancellor to write to Sir *James Turner*, or any other person he should judge proper, to take notice of all persons who keep up private meetings or conventicles, for alienating the hearts of the subjects from the present establishment in church and state, and to give an account of them to the council. These, it seems, were either the meetings for worship in the houses of the *ejected* ministers, or those among good people for prayer and religious conference : How far these tended to alienate the hearts of the people from his majesty, must be left with the reader : But it is too well known, that men of *prelatick* principles have ever been against such religious societies, though they had much of the Lord's countenance and presence among them, especially in this persecuting period.

These things considered, it needs not be surprising that the settlement of the curates did meet with opposition in several places. Accordingly, at *Irongray* near *Dumfries*, and at *Kirkcudbright*, the inhabitants openly opposed those that were intruded upon them. The famous Mr. *John Welsh* having been minister at *Irongray*, his ejection was most galling to the people ; and when the curate found he could not obtain a peaceable admission, he returned upon them with an armed force : But the women there, headed by one *Margaret Smith*, opposed the party who were guarding the curate, and fairly

ly

1663. ly beat them off with stones. A tumult of the like kind happened about the same time at *Kirkcudbright*.

Commis-
sioners ap-
pointed.

Upon this the chancellor wrote to the magistrates of *Kirkcudbright* to apprehend the persons principally concerned in the riot there, and at the same time gave a commission to the earls of *Linlithgow*, *Galloway* and *Annandale*, the lord *Drumlanerk* and Sir *John Wauchop* of *Niddery*, or any two of them, to repair to these places to examine into the affair, and to apprehend and imprison all whom they should find to have been concerned; and, the more effectually to execute their commission, *Linlithgow* was ordered to take along with him 100 horse and 200 of the king's guards, to take free quarters in the parish of *Irongray*, or to raise from the burgh and parish as much money as would amount to half a crown a day for every horseman, and one shilling for every foot soldier, during their stay there, besides the ordinary pay of the officers, and, by force of arms, to suppress all meetings or insurrections of the people, if any should happen.

Several
imprison-
ed, &c.

Those that were found most guilty at *Kirkcudbright*, were *John* lord *Kirkcudbright*, *John Carsan* of *Sennick*, and *John Euart* late provost there; and about five women, who were all carried prisoners to *Edinburgh*. There were about 14 other women who were found accessory, and ordered to be imprisoned till they found bail to appear before the council. One *William Arnot* was found chiefly concerned at *Irongray*, and was sent to *Edinburgh* with the rest; all who visited them in prison were, by order of council, watched lest they should pray with them. *Margaret Smith* was likewise carried to *Edinburgh*, and sentenced to be banished: But, when before the managers, she told her tale so simply, that the sentence was not executed. What was done with lord *Kirkcudbright* I cannot tell: But *Carsan*, *Euart* and *Arnot* were fined to a most immoderate degree. *Arnot* was ordered to acknowledge his offence two several Lord's days at the church of *Irongray*, and the five women to stand two hours in the pillory at *Kirkcudbright*, for two several market-days, with papers on their foreheads signifying their fault. And though they had no proof against any particular person at *Irongray*, yet, because there had been a tumult, the whole party of horse and foot were ordered to take free quarters in the parish, and this besides other oppressions. Such

were

were the proceedings of the managers, because a few women in two parishes had put some affronts on the curates. The rest, after a considerable time's imprisonment, were set at liberty. 1663.

When these commissioners were in the south the troubles of the excellent laird of *Earlestown* began. The commissioners, on the 21st of *May*, wrote to him from *Kirkcudbright*, requiring that he would order an edict to be served in favour of one Mr. *Hay* to be admitted minister at *Dalry*, of which he was patron. *Earlestown* returned a very respectful answer, in which he gave solid reasons why he could not comply. But the commissioners, knowing his steady attachment to *presbyterian* principles, were resolved to bring him into trouble, and therefore summoned him before the council, where he met with very severe treatment, as we shall afterwards find. *Earlestown's troubles begin.*

On the 24th of *May* a petition was presented to the council from Mr. *James MacGill* late minister at *Largo*, for leave to attend a meeting of the tutors of the late viscount of *Oxenford's* children, of which he was one; for the reader must observe, that those ministers, who were not reached by the *Glasgow* act, were confined to their own parishes as prisoners at large, so that, upon every emergency, they were obliged to apply to the council for liberty to come out of their confinement. *The restraint on ministers.*

On the 2d of *June* they made a very good act against the *quakers*; but the bishops gave the council so much to do against the *presbyterian* non-conformists, that these people were suffered to rest in quiet; and they mightily increased during this reign. *Act against quakers.*

On the 15th of *June* were read in council the earl of *Rothes's* commissions, to be commissioner to the parliament in the room of *Middletoun*, and lord high-treasurer in the room of the earl of *Crawford*, who resigned that office because he could not sign the declaration appointed by the parliament last year. At the same time *Lauderdale* took his seat in the council, with his brother *Charles*, afterwards lord *Hattoun*, *John Hume* of *Rentoun*, and the two archbishops. *Additions to the council.*

On the 18th of *June* the parliament sat down, when the bishop of *Aberdeen* preached before them. The business of this session went on according to the direction of *Lauderdale*, and the whole former proceedings in the

1663. the affair of *ballotting* was so laid open, as finished *Middletoun's* disgrace.

The former sessions had left very little for this to do, in favour of the prelates, unless to screen them from the opposition of the country, and lay a foundation for a more open and universal persecution than was ever in *Scotland* since the *reformation* from *popery*.

Their 2d
act.

Thus, by their 2d act, intituled, *Act against separation and disobedience to ecclesiastical authority*, all non-conform ministers, that shall presume to exercise their office in any manner whatsoever, were to be punished as seditious persons; and all withdrawing from, and not attending upon the worship of God in their own parish-churches, was declared seditious and of dangerous example and consequence; and therefore all who were found guilty, in this respect, were to incur the following penalties, viz. Each nobleman, gentleman and heritor, the fourth part of his yearly revenue; every yeoman, tenant or farmer, the loss of such a proportion of his free moveables, after paying his rent, as the council shall think fit, not exceeding a fourth part; and every burges the loss of his freedom, and the fourth part of his moveables. And the council was authorized to put this act in execution, to inflict such other corporal punishment as they should see proper, and do every other thing that they should see necessary for procuring obedience to this act, which was called *The bishop's drag-net*.

It is plain this act strikes both at ministers and people, for they who received their ministry from Christ were forbid to discharge the same under severe penalties, unless they renounced their principles, and, in opposition to the dictates of their own conscience, complied with abjured *prelacy*: The people must hear the intruders; and, in short, an unlimited power was given to the council.

Their 3d
act.

* p. 126.

By their 3d act all in publick trust were required to sign the *declaration* appointed last year * against the 11th of *November*; returns were ordered to be made to the council by the 1st of *January*; and, if persons elected to be councillors and magistrates refuse to sign, they were for ever declared incapable of being magistrates, and of merchandising. So that, if a party had a mind to get rid of any conscientious *presbyterian* who had a good trade, they had no more to do, but to get him

chosen

chosen a magistrate or councillor, for they were sure 1663.
he would not sign the declaration*.

The 5th act was for establishing a national synod, *Their 5th*
consisting of the archbishops and bishops, deans and *act.*
archdeacons, &c. but then nothing was to be enacted that
could not be confirmed by the king or his commissioner.
It was declared that it was necessary, for the honour of
God and the good of souls, that there be a national synod;
and if so, then the prelates had neither of these before
their eyes; for, though it passed at their desire, they
took effectual care to prevent the meeting of any such
synod.

This parliament, says Mr. Wodrow, ordered a levy to *Act about*
be made, if need be, of 20,000 foot and 2000 horse, *an army.*
for the preservation of christendom against the Turks; and
adds, that, though it was never made, yet it had been
much better employed this way, than in persecuting pro-
testants. Burnet relates it thus: Another act was look- *p. 205.*
ed upon as a pompous compliment, and so it passed
without any opposition. In it they made an offer to
the king of an army of 20,000 foot and 2000 horse to be
ready upon summons to march with 40 days provision
into any part of his majesty's dominions, to oppose in-
vasions, to suppress insurrections, or for any other cause
in which his authority, power or greatness was con-
cerned. None dreamed, says the bishop, that ever any
use was to be made of this; yet Lauderdale had his
own end in it, to let the king see what use he might
make of Scotland, if he should intend to set up arbitra-
ry government in England. The rest of the acts of
this session, relating to civil affairs, do not come under
our present consideration.

On the 24th of June lord Lorn, who was condemned
the last session, was set at liberty from the castle of E-
dinburgh, and, a few days after this session rose, a pa-
tent came down restoring him to all his grandfather's
estate; only, as his father was much in debt when he
died, his lordship was restricted to 15,000 L. Scots a-
year till the debts were paid off.

Mean time Sir Archibald Johnston, lord Waristoun, met *Account*
with quite different usage. For having, after the sen- *of lord*
tence of forfeiture and death passed against him by the *Wari-*
first *stoun.*

* For refusing to sign the above mentioned declaration John earl
of Crawford lost his office of lord treasurer, and Sir James Dundas of
Armistoun his post of one of the lords of session.

1663. first session of this parliament, gone abroad to escape the fury of his enemies, even there did their crafty malice reach him.

Apol. re- When at *Hamburgh* he was seized with a severe illness, during which Dr. *Bates*, one of king *Charles's* physicians, gave him *poison* instead of physick, and then ordered to draw from him sixty ounces of blood, by which he was brought to the gates of death, and so far lost his memory, that he could not remember what he had done or said a quarter of an hour before, and continued in that condition ever after.

Appre- At last, going unadvisedly into *France*, one *Alexander Murray*, being dispatched in quest of him, apprehended him at *Roan*, while engaged in secret prayer, a duty wherein he greatly delighted. In *January* he was brought over prisoner and committed to the tower of *London*, where he continued till the beginning of *June*, when he was sent down to *Edinburgh* to be executed. His carriage, during his passage, was truly christian. He landed at *Leith* on the 8th of *June*, and was committed to the tolbooth of *Edinburgh*. From thence he was brought before the parliament on the 8th of *July*. His nephew, bishop *Burnet*, says, he was so disordered, both in body and mind, that it was a reproach to any government to proceed against him. When at the bar of the house he discovered such weakness of memory and judgment, that every person almost lamented him, except *Sharp* and the other bishops, who scandalously and basely triumphed over, and publickly derided him, though it is well known lord *Warristoun* was once in case to have reasoned before the greatest assembly in *Europe*, nay, and to have presided in it.

Sentenced 40 die. It seems that many of the members of parliament were inclined to spare his life; for, upon the question, *Whether the time, of his execution should be just now fixed or delayed*, *Lauderdale* interposed, upon calling the rolls, and made a most threatening speech for his present execution: Accordingly sentence was pronounced, that he be hanged at the cross of *Edinburgh* on the 22d of *July*, and his head placed on the *Nether-bow* port, beside that of Mr. *Guthrie*. He received his sentence with such meekness as all were filled with admiration; for then he desired that the best blessings of heaven might be upon his majesty, on the state and church, whatever befel himself, and that God would give his majesty true and faithful counsellors.

During the whole time of his imprisonment he was 1663 in a most spiritual and tender frame, to the conviction of his very enemies; and the nearer his death approached, the composure of his mind became the more conspicuous. He rested agreeably the night before his execution, and in the morning was full of consolation, sweetly expressing his assurance of being cloathed with a long white robe, and of getting a new song of the lamb's praise in his mouth before night. He dined with cheerfulness, hoping to sup in heaven, and to drink the next cup fresh and new in his father's kingdom. And, after he had spent some time in secret, about two o'clock he was taken from prison, attended by several of his friends in mourning, though he himself was full of holy cheerfulness and courage, and in a perfect serenity of mind. When going to the scaffold, he said frequently to the people, *Your prayers, your prayers!* When he was on the scaffold, he said, *I intreat you quiet yourselves a little, till this dying man deliver his last words among you;* and desired they would not be offended at his making use of his paper, to help his memory so much impaired by long sickness and the malice of physicians; then he read his speech, (which is recorded in *Naphtali*, and in Mr. Wodrow's appendix) first from the one side of the scaffold, and then from the other, in which he bewailed his compliance with the usurpers, and declared his adherence to the covenants and work of reformation. After this he prayed with the greatest fervency, and, in a very rapture, beginning thus, *Abba, abba, father, father, accept this thy poor sinful servant coming unto thee through the merits of Jesus Christ, &c.* There were no ministers allowed to be with him, but those present observed that God sufficiently made up that want. He was helped up the ladder by some of his friends in deep mourning, and, as he ascended, he said, *Your prayers, your prayers, I desire your prayers in the name of the Lord.* Such was the value he had for that duty. When got to the top of the ladder, he cried with a loud voice, 'I beseech you all, who are the people of God, not to scare at sufferings for the interest of Christ, or stumble at any thing of this kind falling out in these days, but be encouraged to suffer for him; for I assure you, in the name of the Lord, he will bear your charges.' At last he bid the executioner do his office, and crying out, *O pray, pray! praise,*

1663. *praise, praise!* was turned off, and died almost without any struggle, with his hands lifted up to heaven. He was buried in the *Gray-friers* church-yard, and his head was fixed on the *Neith-bow* beside that of his dear friend Mr. *Guthrie*. And thus fell the eminently pious and learned lord *Waristoun*; so that, as the foundation of pre-lacy was laid in the blood of the noble marquis of *Argyll* and the worthy Mr. *James Guthrie*, the building was cemented by the blood of lord *Waristoun*.

Mr. Wood's case. A little before the execution of this great man, the council, on the 14th of *July*, ordered Mr. *James Wood*, principal of the college of *St. Andrews*, and minister there, to be summoned before them on the 23d, for continuing to exercise his office. He was scarcely allowed to speak in his own defence, and was sentenced to confine himself within *Edinburgh* till farther orders. Whereupon he told them, *He was sorry they had condemned a person without hearing, whom they could not charge with the breach of any law.*

The case of other ministers. At the same time the council, at the instigation of the bishop of *Glasgow*, ordered messieurs *Alex. Livingstone* late at *Biggar*, *Matthew MacKail* at *Bothwel*, *John Guthrie* at *Tarbolton*, *John Blair* at *Mauchlin*, *John Schaw* at *Selkirk*, *George Johnstoun* at *Newbottle*, *John Hardy* at *Gordon*, *Archibald Hamilton* at *Wigtoun*, *George Wauch* at *Kirkcinner*, and *Anthony Murray* at *Kirkbean*, ministers, to appear before them on the 23d of *July*, under the pain of rebellion. Accordingly messieurs *Hardy*, *MacKail* and *Livingstone* appeared, and were confined within the city of *Edinburgh* till farther orders, and in the mean time discharged from keeping any private conventicles.

The same day a deputation was appointed to wait upon the commissioner, to take some general course with all the non-conform ministers; and on the 30th of *July*, messieurs *Matthew Ramsay* at old *Kirkpatrick*, *James Walkinshaw* at *Badernock*, *Hugh Smith* at *East-wood*, *James Hamilton* at *Eglisham*, and *James Blair* at *Cathcart*, were ordered to answer for their seditious carriage, *i. e.* for continuing to preach the gospel under pain of rebellion. Mr. *Hardie* appearing, and owning that he had preached, the council declared his church vacant, and ordered him, within 14 days, to remove 20 miles from his parish, six miles from any cathedral church, and three miles from any royal burgh, in all time coming.

ing. And this was a prelude to the *mile act* we shall presently hear of. On this 30th of *July* letters were ordered to be directed to summon Mr. *William Gordon* of *Earlestown* to appear before them for his factious and seditious carriage, *i. e.* his refusing to hear the curate, and his favouring the ejected ministers. 1663

Mr. *MacKail* ventured back to *Bothwel*, and escaped for some time; Mr. *Livingstone* is said to have been confined to his parish till farther orders; messieurs *Johnstoun*, *Cuninghame* and *Blair* were confined to the north-side of the *Tay*; Mr. *Ramsay* was remitted to the archbishop of *Glasgow*; and Mr. *Smith* and Mr. *Walkingshaw* were ordered to obey the *mile act* made a few days before.

For, on the 13th of *August*, the council taking under their consideration, that several ministers, who by law (*i. e.* the laws lately made) have no right to preach or reside in their parishes, do notwithstanding preach, administer the sacraments, and keep disorderly conventicles, &c. made an act, and published a proclamation, commanding all such ministers, within twenty days after the publication of the same, to remove themselves, families and substance out of their respective parishes, and not to reside within twenty miles of the same, nor within six miles of *Edinburgh*, or any cathedral church, or three miles of any royal burgh. This act extended to those ministers who were ordained before 1649. unless they attended the bishop's courts. The Scots mile act.

Here we may see, 1. That the council had neither instructions from the king, nor authority from the parliament, to make this act, yea, they agreed to it, and published the proclamation, even though the parliament was then sitting; so that they assumed a power properly parliamentary under their very nose. 2. This shews the persecuting spirit and temper of the bishops; for this was the first act of council after the two archbishops were members of it, and it is not unlikely that it was entirely owing to them, who could not endure presbyterian ministers in their neighbourhood. 3. Every person must see what hardships poor ministers and their small families were put to by this. They were removed, merely for conscience sake, far from their beloved people, who might, and doubtless would have relieved them in their necessities; nay, by this they were deprived of the means of educating their children, at least they must be at double charges, and have them removed from under

1663. der their inspection when at school; for the tender mercies of the wicked are cruel!

An act against persons from Ireland, &c.

The bishops being vexed that any presbyterian ministers from Ireland should have shelter in Scotland, and that numbers refused to hear the curates, the council, on the 7th of October, made an act, ordering all persons who should come from Ireland, without sufficient testimonials, either to return within fifteen days, or be imprisoned and treated as seditious persons; and declaring that all persons who withdraw from their parish-churches, after three admonitions given them by the ministers of the respective parishes, shall be proceeded against upon the minister's attestation of his having intimated the names of such persons; and all noblemen, sheriffs, &c. and officers of the army, were required to assist and concur with ministers, in seeing the law, in that case made and provided, duly put in execution. How equitable it was to make ministers witnesses in their own cause, and put the executive power in the hands of the army, must be left with the reader.

Sideserfe died.
The parliament rose.
R. 205.

On the 29th of September Sideserfe bishop of Orkney died, and on the 9th of October following the parliament was dissolved, which, says bishop Burnet, gave a general satisfaction to the country, because they were a furious set of people. We shall hear no more of parliaments for six years to come. When the session was ended, several persons of quality went to London, amongst whom was the earl of Rothes, who met with a gracious reception from his majesty, and was made a member of the privy-council of England. But to return to the affairs of Scotland, where things were still growing worse and worse, and the effects of prelacy appearing more and more dismal.

Soldiers sent to Kirkcudbright, &c.

On the 13th of October the council gave orders to the earl of Linlithgow to march with a number of foot to Kirkcudbright, which, with the soldiers there already, might make 160 men, to quarter till farther orders; and at the same time commanded Sir Robert Fleming to march one squadron of the life-guards to quarter at Kilmarnock, and another at Paisley.

Fairfoul died.

On the 2d of November archbishop Fairfoul died at Edinburgh, and was interred with great funeral solemnity in the east end of the Abbey-church.

Earle-stoun summoned.

On the 24th of November, the council being informed that the laird of Earlestown kept conventicles and private

private meetings in his house, notwithstanding the laws 1663-
against such practices, ordered letters to be directed a-
gainst him, to appear before them the——day of ——
to answer for his contempt, under the pain of rebellion.
We shall find more concerning him afterwards.

On the same day *Linlithgow* was ordered to write a *Thanks*
letter of thanks to *Sir James Turner*, for his care and *given Sir*
pains in seeing the laws concerning church-government *James*
duly obeyed, &c. *Turner.*

This *Sir James*, as the author of the memoirs of the *His cha-*
church of *Scotland* observes, 'was a tool to their minds, *racter.*
a stranger in the country, being an *Englishman*, bred to *p. 160.*
plunder and rapine in the service of the *French*, per-
fectly void of the fear of God or man, and unacquaint-
ed either with religion or humanity.' But though he
was ready enough to execute his orders with rigour, yet
we shall hear afterward that he was obliged to exceed
the bounds of his own inclinations to satisfy the bishop
of *Galloway*, who was fierce and cruel, as all *apostates*
use to be.

The council, finding that the body of the people in *Forces sent*
the west and south were most dissatisfied with *prelacy*, and *to the*
having given the army power to levy the fines appointed *west and*
by parliament, sent a considerable body of forces, with *south.*
the strictest orders, to oblige all persons to submit to the
bishops and their curates, which occasioned the most
grievous oppressions and exactions *under colour of law.*

The process was very short in cases of *non-conformity.* *Their ex-*
The curate accused whom he pleased to *Sir James*, or *actions.*
any of the officers, and frequently to a private centinel.
The soldier is judge, no witnesses or proof is required,
but the sentence is summarily pronounced, and the sol-
dier executes his own sentence, and with the greater
cheerfulness, that the money, generally speaking, came
into his own pocket; and often the fine exceeded what
the law appointed. They behaved just as if they had
been in an *enemy's country.* If a tenant or head of a fa-
mily was unwilling or unable to pay, the soldiers were
sent to quarter upon him, till they had destroyed ten times
the value of the fine; and, when poor families were no
longer able to sustain them, they were spoiled of their
goods, which were sold for a trifle.

In these quarterings family-worship was ridiculed, and *Their in-*
they who performed it were treated by the profane sol-*sciences.*
diery as if it had been a *conventicle.* Multitudes were cru-

1663. elly beat, and dragged to church or prison with equal violence. And thus hundreds of religious families in the west and south were scattered and reduced to extreme necessity, and their landlords obliged either to conceal themselves or leave the country. Now, whether this was not a more proper method for extirpating than establishing of church-government, the reader may judge. If it be said, that none can account for the extravagances of soldiers; then the more to blame were they who intrusted them with such power, and did not cashier the officers for not restraining them.

Promoted by the curates. However, it must be granted that the blood-thirsty curates had no small share in this oppression; for in most parishes they made a list of their congregations, not for the performance of any part of their ministry, (that was the least of their care) but to expose their *non-conforming* parishioners to the ravages of the army. After sermon this list was called over from the pulpit, and all who were absent, except some favourites, were delated to the soldiers; after which no defences could be heard, the fine must either be paid, or their houses quartered upon.

As the churches of the old *presbyterian* ministers, who were not as yet ejected, were much crowded, the soldiers, when the worship was near over, went armed thither, and obliged the people to go out one by one, and declare, upon oath, whether they belonged to that congregation; and they who could not do this, though their own parishes were vacant, were immediately fined, and what money they had about them taken from them. If they had none, then their bibles, the mens coats and the womens plaids, were seized by these wretched executioners; so that the soldiers returned laden with spoil; nay, in some places they would enter the churches by force, and interrupt divine worship. One party would stand at one door, a second at another, and a third entered the church, and obliged the people to go all out at one door, and they who would not presently swear they belonged to that parish, were rifled of all that they had, and sometimes dragged to prison; and after all the poor people were sometimes forced to give it under their hand *that they were kindly used*.

It would seem that even the council themselves were ashamed of the rigorous proceedings of these military gentlemen; for, on the 24th of *November*, they issued a proclamation,

proclamation, forbidding the officers of the standing army to exact any of the penalties contained in the fore-mentioned act, except the twenty shillings Scots from every person who absents from his own parish-church on the sabbath-day. But when soldiers are once let loose, restrictions will not easily tame them. 1663.

About the end of the year the council were at much pains to press subscribing of the *declaration* imposed by the parliament upon all in places of trust*. But it is *p. 126, time now to go on to,

C H A P. VI.

Of the erection and proceedings of the high-commission, and the acts of council, together with the state and sufferings of the presbyterians till the year 1666.

THE king being pleased with the conduct of his privy-council, relating to the *declaration* against the covenant, wrote to the chancellor, desiring that they would take all possible pains, that those who had not yet subscribed it might be enjoined to do it, and that the places of those who refused might be supplied with proper persons; this they readily complied with, and gave his majesty an account of their diligence; nay, they carried this point so far, that some who were chosen to be magistrates were prosecuted for not accepting, because they could not, in conscience, comply with these terms of acceptance; for when John Porter, Gilbert Wylie, John Reid elder, John Gray, Alexander Gardiner, Ninian Holmes, and some others, who were out of the kingdom, were elected to be magistrates, or members of the town-council of Irvine, the privy-council ordered them to be summoned before them, because, rather than subscribe against their conscience, they had refused to accept the charge. 1664. Declaration pressed.

But the chancellor, and some others, were not for driving so fast as the *prelates* would have them, and Glencairn, in particular, was highly displeased with the insolence of the *primate*. Wherefore, about the end of the last year, Sharp went up to London to complain of the privy-council, where he said there was such remissness, and so much popularity appeared on all occasions, that unless some more spirit was put in the administration, it would be impossible to preserve the church. That Rise of the high-commission court. Burnet, p. 206.

1664.

Abstract
of the
commis-
sion.

That was the word always used, as if there had been a charm in it. He moved that there might be a letter writ giving him the precedence of the lord chancellor, and that the king would grant a special commission to some persons for executing the laws relating to the church. Accordingly the king granted a commission 'to the archbishop of *St. Andrews*, the lord chancellor, the lord treasurer, the archbishop of *Glasgow*, duke of *Hamilton*, the marquis of *Montrose*, the earls of *Argyll*, *Athole*, &c. or any five of them, an archbishop or bishop being one of the number, to call before them, when and where they should appoint, all *popish* traffickers, &c. (but *papists* lived very quietly under this reign) all obstinate contemners of the discipline of the church — all keepers of conventicles — all who preached in private houses, or elsewhere, without licence from the bishop — all who keep meetings at fasts and the administration of the Lord's supper, not approved by authority — all who speak, preach, write, or print to the scandal and detriment of the present government in church and state — all who do not attend divine worship at their parish-churches, &c. with power to the said commissioners, or any five of them, an archbishop or bishop being one, to censure ministers with suspension or deposition; and to punish by fining, confining, &c. all who shall be found transgressors, according as they shall judge of their offence, not exceeding the fines and punishments appointed by the parliament and council: (They frequently found pretences to exceed this restriction.) Commanding the captains of his majesty's guards, the officers of the army and militia, &c. to search for and apprehend all such delinquents, and present them before the commissioners, upon warrant from any five of their number: — Ordaining, farther, the lords of the privy-council to direct letters of *harning* for the payment of the fines appointed by the commissioners, in case delinquents should refuse to appear before them. — And, generally, the commissioners aforesaid are authorised and empowered to do and execute what they shall find necessary for his majesty's service, — And that a business of such importance may take a speedy successful effect, — it is his majesty's pleasure, that this his commission shall endure to the first of *November* 1664. and after, till it be discharged by his majesty, and that

the

the first meeting thereof be at *Edinburgh* the first *Wednesday* of *March* next to come, and the after meetings in such places, and as often as shall be judged necessary. — Given at *Whitshall*, *January* the 16th — 1664. —

This was certainly one of the most infamous courts that ever was erected in any *protestant* nation. In it were nine bishops to thirty five laymen ; but the *bishops* were made *necessary* members, and four, with any one *prelate*, were declared to be a quorum, which were too few of such a number, though the better for the purposes of their appointment. After the clause about *papists*, who were generally overlooked, all that follows is levelled at the *presbyterians*. And, besides the ordinary crimes of conventicles and ministers exercising their office, all were exposed to prosecution *who keep meetings at fasts and the sacrament of the Lord's supper*. These were too serious exercises for the *bishops*, whose consciences, probably, smote them, so that they were afraid of the joint prayers of the Lord's people. Their power was most extensive. They were impowered to hear and determine causes without appeal, could suspend and depose churchmen, fine, confine, and imprison all who should be accounted transgressors ; nay, they were authorised to do and execute what they should find necessary for his majesty's service. And what will not these *prelates* find necessary for securing themselves and their underlings, if we may judge from their former proceedings ? This court was of a *heterogeneous* nature, and, as one calls it, a *hotch-potch-mongrel-monster*. Here were bishops and peers, inferior magistrates and military officers, &c. all blended together. Their proceeding was as unaccountable, unjust and cruel, as their power and authority was extravagant and illegal ; for persons were brought before them without any information, accusation, witness or accuser ; but, being fetched in, were obliged to answer, *super inquirendis*, to whatever questions were proposed. Lawful defences were neither received nor admitted ; and if any offered to propose any thing of that nature, he was required first to take the *oath of allegiance or supremacy*, the refusal of which was reckoned guilt sufficient. In short, the oppressions and grievances of this *detestable* court, whereof I shall give a few instances, were, in many things, noways inferior to that

1664. of the *Spanish* inquisition; mean time it will be proper to mention the most remarkable intervening occurrences.

Sharp We have seen, that, when *Sharp* moved for the *high-commission* court, he at the same time proposed that himself might have the *precedence* of all the officers of state; which motion the king likewise complied with, and accordingly sent a letter to the privy-council, of the same date with the *high-commission*, signifying his royal pleasure, that the archbishop of *St. Andrews* should have place, both at his council and all other publick meetings, before the chancellor and all other subjects within the kingdom. This letter came down on the 26th *January*, and not a little disgusted the nobility, especially *Glencairn* the chancellor. However, they could not help themselves, nor remonstrate against the sovereign prerogative. Thus was verified what *Lauderdale*, about three years ago, told *Glencairn*, that since he and *Middletoun* would have bishops, they should have them with a vengeance.

Alterations among the bishops.

About this time some changes were made among the bishops; for Mr. *Alexander Burnet* was translated from *Aberdeen* to *Glasgow* in the room of *Fairfoul* deceased; Mr. *Scougal* succeeded to the bishoprick of *Aberdeen*, and was reckoned one of the best of that order, and Mr. *Andrew Honnyman* was made bishop of *Orkney* in the room of *Sideferse* deceased.

Proceedings on the act of fines.

P. 127.

On the 16th of *February* a letter was read in council upon the subject of the act of fines*, requiring them to issue a new proclamation, commanding such fined persons as should be charged, in the name of the treasurer, or his deputy, or the advocate, before the first of *August* 1664. to make payment of the first half of the fines against *Martinmas* next to come, and the other half at or before the term of *Candlemas* following. Accordingly, next council day, being the 18th of *February*, a proclamation was drawn up, approved, and ordered to be published at the cross of *Edinburgh*, declaring the same to be as sufficient as if it had been published at all the head-barghs of the kingdom.

Notwithstanding the payment was postponed some time longer; for the king sent another letter to the council, dated the 26th of *July* 1664. requiring such as should be charged betwixt that and the last day of *August*, to pay their first moiety at or before the 11th of *December* next, and the second at or before the 2d of *March*, and a proclamation was published in the terms of the letter.

What

What was the reason of this delay is not known, possibly the courtiers were not agreed about dividing the spoils. But what is delayed is not forgiven; for, on the 3d of *November*, the king's letter, dated the 17th of *September*, with a warrant inclosed, was read in the council, who issued a proclamation in terms of the inclosed warrant, commanding all those mentioned in the list specified in the warrant, or the heirs and executors of such as were dead, to pay the respective sums imposed upon them, the one half at or before *Candlemass*, and the other at or before *Whitsunday* 1665. under the pains and penalties mentioned in the act of parliament.

1664.

One would imagine that they who were thus fined *Remarks*, had been guilty of some very notorious crimes, whereas they were chargeable with nothing but what the managers themselves and the whole nation were guilty of, viz. a necessary subjection to the usurpers. And though it be alledged in the *warrant*, that many of the king's subjects suffered greatly for their loyalty to the king and his father, yet it is plain, that, had these fines been distributed among *such* sufferers, the *presbyterian* ministers would have had no small share, and many who were fined must have been exempted. Besides, how could persons be fined without ever being brought to any trial? But this was a period where little justice or equity was to be seen. We shall afterwards hear with what severity these fines were exacted, though the west and south of *Scotland* were already sufficiently drained by the army.

This was a time of trouble, the faithful of the land were born down like a torrent, and the vilest men were exalted; and therefore, in such a time as this, *presbyterian* ministers, and others, used frequently to meet together for prayer in private houses: But, at the instigation of the *bishops* and their underlings, who could not bear the prayers of God's people, the council, upon the 23d of *February*, made an act, ordering the magistrates of *Edinburgh* to cause search be made concerning the keeping of any private meetings and conventicles, within the city, by the ministers deprived by the *Glasgow* act, whom they call *late* ministers; and that they acquaint the lord chancellor with what they discover, and the persons names, that order may be taken about the same. *Act against private meetings.*

And, as a farther proof of their vigilance this way, upon the 1st of *March* they passed another act, whereby, after narrating 'that they had considered several accusations *exhibiting* *against private meetings.*

1664. exhibited against Mr. *William Gordon* of *Earlestoun*, for keeping of private meetings and conventicles, contrary to the laws and acts of parliament, with his own judicial confession that he had been at three several conventicles, where Mr. *Gabriel Semple*, a deposed minister, did preach, viz. one in *Corfack* wood, and the other two in the wood of *Airds*, at all which there were great numbers of people; and that he did hear Mr. *Robert Paton*, a deposed minister, expound a text of scripture, and perform other acts of worship in his mother's house; and that Mr. *Thomas Thomson*, another deposed minister, did lecture in his own house to his family on a sabbath-day; and that, being required to enact himself to abstain from all such meetings in time coming, and to live peaceably and orderly conform to law, he refused to do the same. They did therefore order the said Mr. *William Gordon* of *Earlestoun* to be banished, and to depart forth of the kingdom within a month—and not return under pain of death, and that he enact himself to live peaceably and orderly during the said month, under the pain of ten thousand pounds, or otherways to enter his person in prison.

What times must these be, when a worthy gentleman had such an act made against him for hearing *presbyterian* ministers.

Mr.
Wood
died.

His dying
testimony.

Some time in the month of *March* died the learned and singularly pious Mr. *James Wood* late principal of the college of *St. Andrews*. *Sharp* thought proper to visit him once or twice upon his death-bed, and then industriously spread a report, that Mr. *Wood*, being within the views of eternity, expressed himself concerning church-government as a matter of *indifferency*, and that he was as much for *episcopacy* as *presbytery*. Mr. *Wood*, coming to the knowledge thereof, thought himself bound in conscience to leave a publick testimony against this false and malicious slander. In his testimony, dated the 2d of *March* 1664. he declared, that 'he looked upon the *presbyterian* government as the ordinance of God, appointed by Jesus Christ for governing and ordering his visible church; that he never had the least change of thought about the necessity of it, nor of the necessity of the use of it; and he declared before God and the world, that he still so accounted of it—and that, if he was to live, he would account it his glory to seal this word of his testimony with his blood; and of this his declaration he took God, angels and men for his witnesses.

witnesses.' And subscribed the same in presence of Mr. 1664.
William Tullidaff minister of *Dumbog*, Mr. John Carstairs
his brother-in-law, and Mr. John Pitcairn the writer. Sharp's

When this testimony was published the archbishop was *calumnies*.
so nettled, that he ordered those who were present to be
summoned before the *high-commission*, alledging, and even
publickly reporting, that the notary told to himself, that,
when Mr. Wood was exceeding weak, Mr. Carstairs, hav-
ing formed the above paper, had imposed upon, and got
him to subscribe it.

But when Mr. Tullidaff and the notary came before the *Discover-*
commission, they both declared that Mr. Wood dictated the *ed.*
testimony (of which I have given an exact copy) and
that the notary wrote it at his desire, and attested it, as
was his office to do. Thus the *primate* once more got
the lie to his face. After these two had continued for
some time in prison, the bishop was forced to dismiss
them without any farther punishment, having shewn his
malice, and been proved a spreader of *lying calumnies*
upon those *more righteous* than himself.

Mr. Carstairs, for some reasons, thought proper to *Mr.*
abscond; only, that his conduct might not be construct- *Car-*
ed as the effect of disloyalty, he wrote a letter to the *stairs's*
chancellor, wherein he excused his not appearing before *conduct.*
the *commission*; and declared that none persuaded Mr.
Wood to emit this testimony, that it was his own motion,
that he dictated every word of it, and that, more than
once, in conversation, he declared his sentiments, as to
presbyterian government, *more fully* than in the testimo-
ny itself; so that, upon the whole, Mr. Wood was vindi-
cated from the false aspersions of the *primate*.

The HIGH-COMMISSION court should have assem- *Proceed-*
bled on the first *Wednesday* of *March*, but it does not *ings of*
appear that they sat down before the 15th of *April*, *the high-*
when they entered upon business. Tho' very few instan- *commis-*
ces of the iniquous proceedings of this dismal court *sion.*
can be given, yet these following are sufficient to shew
their unprecedented cruelty and injustice.

Among their first proceedings they ordered Mr. Wood's
testimony to be burnt, and some ministers accessory there-
unto to be put in prison, and the *west country* gentle-
men, who refused to give full conformity to the *then*
church-government, to be fined in the fourth part of
their yearly income. But it is proper to give the reader
some particular instances of the hardships several endu-
red.

1664. Mr. James Hamilton of Aikenhead, near Glasgow, was summoned before them, though nothing could be alledged against him, only that he did not hear Mr. Hay curate in Cathcart; a man most rigorous in exacting his stipend, particularly upon Aikenhead's tenants, which occasioned a squabble between the curate and some of them, from whom Mr. Blair the *presbyterian* minister of the place protected him, and got him, in a solemn manner, to promise not to delate any of them. But Hay, contrary to his promise, went to Glasgow and accused them to the bishop, who immediately ordered Sir James Turner, with a party of soldiers, to go and apprehend some of them, whereof, and of the curate's cruelty and prevarication, Aikenhead being informed, he would never after own him as a minister, especially as he was never called to that congregation.

When this gentleman was brought before the *commission*, he was fined in a fourth part of his yearly rent; and, when he afterwards was before them, he frankly owned that he neither did nor would hear *that* incumbent; and gave the court such a distinct account of Hay's conduct, that the archbishop of Glasgow promised he should be removed: But the *commission* urging this gentleman to engage to submit to and hear his successor, he told them, he thought it soon enough to engage, when he had heard him, and knew who he was; and peremptorily refused all such previous contracts; whereupon he was fined in another fourth part of his yearly rent, and remitted to the archbishop of Glasgow to give him satisfaction as to his loyal and peaceable behaviour.

But the bishop, it seems, not being satisfied, he was again brought before this court, and was charged with keeping up the session-book of Cathcart, and the utensils of the church, refusing to assist the minister in session when called, and suffering some of his family to absent from the church. As to the first part of his accusation, he offered to declare his innocence upon oath. But when the earl of Rothes required him to testify his loyalty, by taking the *oath* appointed by law, upon his refusing the *supremacy* in the oath, and to become surety for all his tenants, that they should attend the ordinances and live regularly, the court fined him in 300 *l. sterling*, and ordered him to prison till he paid it, and then to transport himself to the town of Inverness, being above 100 miles from his own house, and to remain there

there under confinement during pleasure. He paid the half of his fine, and his estate was sequestrated for the rest, and in three weeks he presented himself to the magistrates of *Inverness*, where he continued about a year and a half, till his confinement was taken off. He was not long at home till he was confined to his own house, and a mile round it, for six months: And, before that time was elapsed, he was one day carried in prisoner to the tolbooth of *Edinburgh*, without any reason assigned, and remained there nineteen weeks; at length, by the payment of 80 guineas, he got out.

Another instance of the wicked severity of this court appears in the case of Mr. *John Porterfield* of *Douchall* in the shire of *Renfrew*. The reason why this gentleman was brought before the *commission*, was his not hearing the curate of *Kilmacomb*, where his house and estate lay. He told them that he *could* not hear the curate, because he had abused him with groundless, base and injurious reproaches. The court looking upon this as a sufficient defence, admitted him to bring in evidences: But the very first witness attesting all, nay, more than what had been alledged, the court immediately interrupted the examination, and required *Porterfield* to take the *oath of allegiance*; which he refusing to do, without some *salvo* as to the clause of *supremacy* therein, they immediately fined him in the sum of 500 *l. sterling*, ordered his estate to be sequestrated till payment should be made, and confined him to the town of *Elgin* in the shire of *Moray*, where he continued about four years. Reflections upon this are needless, as here the reader cannot but see the height of injustice, because the examination of witnesses was interrupted, a fine was imposed for mere *non-conformity*, and a gentleman banished purely for conscience sake.

Their proceedings against the reverend Mr. *Alexander Smith* minister at *Cowend* may also be well worth our notice. His great crime was preaching privately in his own house, or, in the stile of that time, for keeping of *conventicles*. When this worthy person was before them, his examination was in a very odd manner interrupted; for, in answering several questions proposed to him by archbishop *Sharp*, he calling him only *Sir*, and not *My lord*, the earl of *Rathes* asked him if he knew to whom he was speaking. Mr. *Smith* replied, Yes, my lord, I do; I speak to Mr. *James Sharp*, once a fellow minister

1664

Mr. Porterfield's case.

Mr. Smith's case.

1664. minister with myself. This was reckoned such a very high crime, that, without any further inquiry into the affair of conventicles, Mr. Smith was ordered to be laid in irons, and cast into that nasty place commonly called *The thieves hole*, where he had for his company a poor furious distracted man. And, to use the words of the

P. 157. author of the *memoirs* of the church of Scotland, 'here the godly minister lay some days in danger of being destroyed by the poor demented wretch, who every moment threatened to kill him; but God, who stopped the mouths of *Daniel's* lions, restrained him, so as he hurt him not.' He continued for some time in that dismal place, until the kindness and respect of the people of *Edinburgh* made the *bishops* ashamed of this unaccountable step. He was therefore removed to another room in the prison, where, through cold and other hardships, he fell sick, and was in danger of his life; yet such was their cruelty, that he could not get a few days liberty from prison. The author of the foresaid *memoirs* says, That these merciful judges hearing, that, by the grate of the thieves hole which looked to the street, he was relieved and comforted by the charity and compassion of many good people in the city, they were threatened for relieving him; and at length he was carried to a place called *The iron-house*, in the same prison, where none could come near him. After some time, by another sentence, he was banished to one of the isles of *Shetland*, where he continued many years in a wretched starving condition; for this is the coldest and wildest of all the *Scots* islands; and, as the author just now mentioned adds, here his only relief, as to this world, was the society of other blessed sufferers who were banished thither for the same good cause.

Cafe of
some at
Ancrum. The treatment of some of the parishioners of *Ancrum* is not to be omitted. When their excellent minister Mr. *Livingstone* was taken from them, one Mr. *James Scot*, who was under the sentence of excommunication, was presented to that charge. On the day fixed for his settlement several people did meet together to oppose it; and particularly a country woman, desiring to speak with him in order to dissuade him from intruding himself upon a reclaiming people, pulled him by the cloke, intreating him to hear her a little; whereupon he turned and beat her with his staff. This provoked two or three boys to throw a few stones, which neither touched him nor

nor any of his company. However, it was presently 1664. looked upon as a treasonable tumult, and therefore the sheriff and justices of the peace in that bounds fined and imprisoned some of these people, which, one would think, might atone for a crime of this nature. But the high-commission, not thinking that sufficient, ordered those criminals to be brought before them. Accordingly the four boys and this woman, with two brothers of hers of the name of *Turnbul*, were brought prisoners to *Edinburgh*. The four boys confessed, that upon *Scot's* beating the woman they had thrown each his stone. The commissioner told them that hanging was too good for them. However, the sentence of this merciless court only was, that they should be scourged through the city of *Edinburgh*, burnt in the face with a hot iron, and then sold as slaves to *Barbadoes*. The boys endured their punishment like men and christians, to the admiration of multitudes. The two brothers were banished to *Virginia*, and the woman was ordered to be whip'd through the town of *Fedburgh*. *Burnet* Bishop of *Glasgow*, when applied to that she might be spared lest she should be with child, mildly answered, That he would make them *claw the itch out of her shoulders*.

Several presbyterian ministers were before them, of whom very imperfect accounts can be given. Mr. *George Hamilton*, afterwards minister at *Edinburgh*, and some other ministers of *Fife*, were summoned, and discharged from administering the Lord's supper, for the bishops were galled at the vast numbers that came to partake of that ordinance. Other proceedings.

Sir William Cuninghame of *Cuninghame-head* was before them when they sat at *Glasgow*; he was obliged to produce his chaplain Mr. *John Hattridge*, who, beginning to say, 'My lords, I hope none of you will take it ill that I declare before you some things that are pre-sures to my conscience,' *Sharp* interrupted him, saying, 'What have we to do, Sir, with the pressures of your conscience? Go to the door presently. And, as he was removing, he called to him, without ever consulting the court, Sir, you are discharged to preach without a licence from the archbishop of *Glasgow*; and so he was no more called. Sir W. Cuninghame.

In one of their meetings at *Edinburgh* they fined Mr. *Walter Pringle* of *Greenknows* in some hundred pounds sterling, for no other reason but because he would not take the oath of allegiance without an explication.

I shall

1664.

Mr.
Black's
case.

P. 157.

I shall conclude this account with the case of Mr. Black, mentioned by the author of the *memoirs*. This gentleman was charged by the commission with having been at a private meeting for prayer; whether any minister was with them or not was not alledged, neither had they any thing else to accuse him of, nor could they prove his being at that meeting, only they would have him confess, which he declined. Then they required he would declare upon oath who was at the said meeting. And because he said this was against his conscience, and that he would not be an accuser of *innocent men*, he was sentenced to be scourged through the town, which he cheerfully suffered.

From these few instances of the proceedings of this inquisition-court the reader may form a judgment of their cruelty, and of the sad state of the kingdom under the power of such oppressors. It is no wonder tho' the records of their proceedings are not to be found in the council-register for a long time. The council ordained letters of horning for the payment of all fines imposed or to be imposed by this judicature. And about the end of this year *Sharp* got the powers of the *high-commission* court, termed likewise *the commission for church or ecclesiastical affairs*, enlarged, by which they had authority to banish, stigmatize, and inflict all kinds of punishment, except death; but it is plain they took upon them all these powers before they received them.

It is now time to give some account of the more remarkable things that occurred during these proceedings of the *high-commission*.

Act a-
gainst
charity to
suffering
ministers.

On the 29th of *April* the council published an act forbidding to give charity, or make any contributions in favour of suffering ministers and others, who, they pretended, were disaffected to the government: So that now the poor sufferers were not only discharged to meet together, and pray to God in the time of their distress, but all subjects were expressly forbid to relieve them in their extremities.

Procla-
mation a-
gainst
Buchan-
nan's de
jure, &c.

At the same time the earl of *Argyll* and the archbishop of *Glasgow* were added to the council, and took the oaths and their places at that board; and a proclamation was published against that known and celebrated treatise of the great ornament of *Scotland*, Mr. *George Buchanan*, *de jure regni apud Scotos*, ordering all persons to deliver what copies they had of the translation of that treatise

to

to the clerk of the council, under the penalty of being prosecuted as seditious persons. But whether it had not been more proper to have ordered an answer to be made to the solid arguments in that dialogue against tyranny and arbitrary government, must be left with the reader.

On the 30th of *May* the earl of *Glencairn*, lord high chancellor of *Scotland*, departed this life. At his death he earnestly desired to be attended by *presbyterian* ministers, especially by Mr. *Douglafs*, who was then in *Fife*; and before Mr. *Ker* could be fetched from *Haddingtoun* he was speechless. Several other of the noblemen and gentlemen, however hard they were upon the *presbyterian* ministers in their life, wanted their fellowship when they came to die; which made the duke of *York* once say, that he believed all Scotsmen, be what they would in their life, were *presbyterians* at their death. Upon this *Sharp*, as bishop *Burnet* informs us, fearing lest the earl of *Tweeddale* should be advanced to that high post, wrote to *Sheldon* archbishop of *Canterbury*, signifying that upon the disposal of the seals the very being of the church did so absolutely depend, that he begged he would press the king that he (*Sharp*) might be called up before that post should be disposed of. The king bid *Sheldon* assure him he should take special care of that matter, and that there was no occasion for his coming up. However, *Sharp* ventured to go up, and was coldly received. The king asked him if he had not received the archbishop's letter. *Sharp* said he had, but he would chuse rather to venture on his majesty's displeasure, than to see the CHURCH ruined——and that so much depended upon the good choice of a chancellor, that he could not answer it to God and the church, if he did not bestir himself in that matter: He knew many spake of himself for that post; but he was so far from that thought, that if his majesty had any such intention, he would rather chuse to be sent to a plantation: He wished that he might be a churchman in heart, but not in habit, who should be raised to that trust. These, says *Burnet*, were his very words, as the king reported them. However, he went from the king to *Sheldon*, and pressed him to move the king for himself. *Sheldon* did so; but his majesty suspecting *Sharp* to have set him on, asked if that was not the case; and when *Sheldon* owned it, the king told him what *Sharp* had said to himself. However, *Sheldon* prayed the king, that whatever he thought of the man, he would consider

1664.

The chan-
cellor's
death.

p. 208.

p. 209.

1664. consider the ARCHBISHOP and the CHURCH, which the king assured him he would do. *Sheldon* told *Sharp*, that he saw the motion for himself did not take, so he must think of somewhat else. *Sharp* then proposed that the seals might be put into the hands of the earl of *Rothes*, till his majesty should pitch upon a proper person, which was readily complied with. However, the great seal was, on the 1st of *August*, put into the archbishop's hands, till a chancellor should be named, and, about the latter end of the year *Rothes* was made keeper of it. His lordship was likewise lord high treasurer, general of the forces by sea and land, and extraordinary lord of the session, commander of his majesty's life-guards, and principal collector of the fines. The archbishop of *Glasgow* was made an extraordinary lord of session. But as these things don't so immediately concern this history, I shall pass them over, for, notwithstanding the alteration of hands, there was little or no change of measures.

Argyll's head taken down. On the 8th of *June* the head of the noble marquis of *Argyll* was taken down from the *tolbooth* early in the morning, and conveyed to his body, and his son continued in favour till his appearance for the protestant religion at the duke of *York's* parliament.

Parish of Dreg-horn. On the 23d of *June* the council sent a party of soldiers to force the parish of *Dreghorn* to submit to the episcopal minister thrust in upon them, with power to oblige every one to pay twenty pence for every time he should be absent from the church *. The same day the council ordered Mr. *John Crookshank* and Mr. *Michael Bruce*, whom they called pretended ministers, to be summoned, at the cross of *Edinburgh* and pier of *Leith*, to appear before them on the 27th of *July* next, with power to the officers of the army to apprehend them. These worthy ministers were come from *Ireland*, and all their crime was preaching the gospel. This is the first time the council use the phrase, *pretended ministers*. It does not appear that either of them answered the summons, or were apprehended. We shall afterwards hear more of them.

Mr. Guthrie ejected. On the 24th of *July*, that useful, faithful and zealous servant of Christ, Mr. *William Guthrie* minister at *Fenwick*

* The method of dragooning people to church was no less unknown to the *Scots*, than disagreeable to the spirit of christianity, until *Sharp* and the other prelates introduced it.

wick was ejected. He wrote that excellent little treatise, 1664! known by the name of *The trial of a saving interest in Christ*. This worthy person, by the interest of several noblemen, had been for sometime overlooked, notwithstanding his plainness and faithfulness in bearing testimony for Christ at that time *. * p. 77.

But, when Burnet was made archbishop of *Glasgow*, Ministers Mr. Guthrie and the few remaining ministers about him attacked. were attacked; as Mr. Livingstone at Biggar, Mr. Mac-Kail at Bothwel, Mr. Gabriel Maxwell at Dundonald, Mr. Gabriel Cunningham at Dunlop, Mr. Andrew Hutcheson and Mr. William Castledaw at Stewartoun.

No intercession could prevail with the bishop to spare Mr. Guthrie. The earl of Glencairn, in particular, is said to have spoken to the bishop in his behalf, and received a short answer, which made his lordship say, *We have set up these men, and they will trample upon us*. Mr. Guthrie, finding that he must part with his beloved people, appointed Wednesday the 20th of July to be observed by him and them as a day of solemn fasting and prayer. He preached from *Hos. xiii. 9. O Israel, thou hast destroyed thyself*; from which he faithfully laid before them theirs and the land's sins; and indeed the place was a *Bochim*. The Lord's day following being fixed for his ejection, he intimated that sermon would begin that morning betwixt four and five, and then he preached twice to them from the close of his last text, *In me is thy help*, and dismissed the people before nine. The reader may easily conjecture what a sorrowful parting this was. But, though they would have been ready to sacrifice their all for his sake, he would not permit them to use the least violence.

The archbishop of *Glasgow*, after dealing with several of his curates to intimate his sentence against Mr. Guthrie, at last prevailed upon the curate of *Calder*, by the promise, as was said, of five pounds sterling, to perform this service. Accordingly, on the day appointed, he came with a party of 12 soldiers to *Fenwick* church, and, by commission from the archbishop, discharged Mr. Guthrie to preach any more there, and declared the church vacant. The holy good man behaved, on this occasion, like himself, and treated the soldiers with the utmost civility: But when the curate went to the church to intimate the bishop's sentence from the pulpit, none came to hear him except the party he brought with him; a few

1664. a few children, who created him some uneasiness, were driven out by the soldiers.

It was reported that Mr. *Guthrie*, at parting, told the curate he foresaw some evident mark of the Lord's displeasure against him, and exhorted him to prepare for some sudden stroke. Be that as it will, this curate never preached after he left *Fenwick*, for in a few days he died, in great torment, of an *iliack passion*, or of a violent and dangerous kind of cholick; his wife and children died in about a year after, and none belonging to him were left. Thus, by the malice of the *prelates*, this bright and shining light of the west of *Scotland* was extinguished, and he entered into his master's joy on the 10th of *October* next year.

P. Wal-
ker,
p. 173,
174.

This excellent person had been much afflicted with the gravel during his life, which obliged him, contrary to his inclination, to use some diversion. The last time he was with his cousin Mr. *James Guthrie*, he happened to be melancholy, which made Mr. *James* say, *A penny for your thought, cousin*. Mr. *William* answered, *There is a poor man at the door, give him the penny*: Which being done, he proceeded and said. 'I'll tell you, cousin, what I am not only thinking upon, but am sure of, if I be not under a delusion; and it is this, that the *malignants* will be your death, and this gravel will be mine; but you will have the advantage of me, for ye will die honourably before many witnesses, with a rope about your neck, and I will die whining upon a pickle straw, and will endure more pain before I rise from your table, than all the pain you will have in your death.' A certain minister observed, that this holy man died a sufferer, for he was deposed by the bishop, but in hope that one day the Lord would deliver *Scotland* from her thralldom.

Act a-
gainst
Waris-
toun's
Speech.

Such was the inveteracy of the managers, that on the 9th of *August* the council made an act against selling or printing of the speech which lord *Waristoun* delivered at his execution, though there was in it nothing either treasonable or seditious. Sir *Robert Murray* of *Cameron* was by this act empowered to examine all bookfellers and others; in order to find out how the said speech came to be printed, and to commit them to prison, as he should see cause: If any was prosecuted upon this act is not known, but this is certain, the bishops continued to persecute the ministers.

Thus

Thus, on the 10th of *October*, the bishop of *Dunkeld* 1664. deposed Mr. *Andrew Donaldson* minister at *Dalgety*, to which he had been admitted in the year 1644. By the Mr. interest of *Charles* earl of *Dumfermling* he was favoured beyond many of his brethren; and therefore could not well escape the malice of the *prelates* at this time. Accordingly, when the earl was called up to *London*, the primate pushed the bishop of *Dunkeld*, in whose diocess *Dalgety* was, to deprive him. The bishop therefore wrote to him to attend the presbyteries under pain of suspension; which Mr. *Donaldson* disregarded, and continued at his work till the *diocesan* meeting in *October*, when the bishop deposed him, and gave him notice of it in a letter, which Mr. *Wodrow* has inserted at large; and, that they might play sure game, *Sharp* procured a party to be sent to eject him, who came to the church on a Lord's day, when the people were assembled to hear him; however, for preventing disturbance, Mr. *Donaldson* got leave to preach that day also, upon promising afterwards to withdraw.

But when the earl of *Dumfermling* got notice of these proceedings, he got a warrant from the king restoring Mr. *Donaldson* to *Dalgety* during his life, which his lordship brought down and shewed to the primate. The archbishop, knowing well how to *dissemble*, professed a great regard for the earl, and said, The king must be obeyed; but craved as a favour that the earl would do nothing for three weeks in it, till he considered how to provide for a young man that was just settled in the parish, which his lordship yielded to. Mean while *Sharp*, by his interest at court in the earl's absence, procured a warrant under the king's hand, and got it down by express, before the three weeks were expired, discharging all ejected ministers from returning to their charges; and thus the mitre tricked the coronet; for though his lordship was vexed, yet he was obliged to submit.

On the 3d of *November* *William Dobbie* a weaver, who had been for some time under confinement, was set at liberty. And the same day the reverend Mr. *Thomas Wylie*, formerly mentioned *, presented a petition to the council, that they would be pleased, on account of the bad state of his health, to permit him to reside with his family in any place of *Lothian*, being 50 miles from his former charge. With this the council thought.

1664. thought proper to comply, upon his giving a new bond for his *peaceable* behaviour.

Sir John Nisbet advocate. The same day, *Sir John Nisbet's* patent to be king's advocate was read and recorded in council; the former advocate, *Sir John Fletcher*, having been accused of bribery, partiality, and other pieces of mismanagement, and not being able to acquit himself sufficiently, was obliged to resign.

Proclamation of council. On the 17th of *November* the council issued a proclamation, ordering all ministers, who had been ejected since 1661. to retire from *Edinburgh* within forty eight hours; and not to reside either there, or in any other place prohibited by act of council 1663. without a proper licence, under the penalty of being imprisoned, and otherways punished as *seditionous* persons. Such were the restraints now laid upon ministers, that they were forbid to pray to God, or get relief from men, or to inspect the education of their children at schools, unless they would so far own the *prelates*, as to get a warrant from them. *Papish* priests and professed *papists* were entirely at liberty, while some of the king's *best* subjects durst not reside in *Edinburgh*, or any royal burgh, for no crime but because they adhered to their principles against *prelacy*.

Great hardships. The people of the *presbyterian* persuasion were every where harrassed, and the methods mentioned in the last chapter were continued. Every day the soldiers grew more and more insolent at the churches where any old *presbyterian* ministers ventured to continue. And thro' the west and south of *Scotland* multitudes of families were dispersed, the soldiers acting much in the same manner there, as the *French* dragoons did some years after among the *protestants* of that kingdom. *Sir James Turner* acted a very severe part wherever he went, tho' I am not able to give particulars.

Mr. Spreul. On the 18th of *December* the council made an act against *Mr. John Spreul*, late town-clerk of *Glasgow*, for refusing to take the oath of *allegiance* and *supremacy*, ordering him to oblige himself, under the pain of death, to depart out of the kingdom by the first of *February* next, and not to return without licence.

Mr. Moncrief. The same day the council granted a licence to the reverend *Mr. Alexander Moncrief* * to come to *Edinburgh*, and to continue there till the 24th instant about his necessary affairs; for such were the times, that, let a minister's

* p. 100.

ster's affairs be ever so urgent, he durst not go to any royal burgh without licence. 1664: ~~~~~

After this good man had suffered much from one of the heritors of his parish, as is related in *The fulfil- P. 182. ling of the scriptures*, tho' his name be not mentioned, 183, fol. *edit.* and had been discharged from his parish, &c. people began to resort to him, and hear him preach in his own family; wherefore he was obliged to remove from his house, and required to live 20 miles from his charge, and 7 or 8 miles from a bishop's seat, or royal burgh; and after that was constrained to retire to a remote place in the *Highlands*, where he was in a surprising manner supported, and was singularly useful in the conversion of many.

At length he came with his family to *Edinburgh*, where he preached for several years in private. After he was intercommuned, in the year 1675. his house and many other places about the city were searched for him, but he was wonderfully kept out of their hands. He was much solicited, when in these hazardous circumstances, to leave the kingdom, and had an ample call to *Londonderry* in *Ireland*; but he always declined to leave his native country, and, in his pleasant way, used to say, that *he would suffer where he had sinned, and essay to keep possession of his master's house till he should come again.* He left many seals of his ministry, being a most faithful and laborious minister. He was mighty in prayer, and had many remarkable returns. He lived till harvest 1688. and so he may be said to have kept possession of his master's house till he came again.

The year 1665. does not afford so many instances of cruelty as the former years. The earl of *Rothes*, who 1665. ~~~~~ was loaded with places of trust and power, and was the chief manager in *Scotland*, under the direction of *Lauderdale*, was scarcely ever so severe as when in the *high-commission* court, where he did not act like himself.

The first general calamity that befel the nation this year was the war with the *Dutch*, which the king entered into in the winter. It does not ly so immediately before me to speak of the rise of this war. It is by this time pretty well known that his majesty was much under the influence of *LEWIS XIV.* the young king of *France*, and that it was in concert with him that this war was undertaken. The declaration was dated the 22d of *February*, but was not published till the 2d of *March*; and ~~~~~

1665. and on the 3d of *May* a proclamation was issued, appointing the 7th day of *June* to be observed as a publick *fast*, which was complied with by all the *presbyterian* ministers who as yet kept their churches. Mr. *James Fergusson*, minister at *Kilwinning*, when intimating this fast to his people, gave a particular account of the crying sins of the time as the causes of the threatned judgments, which he reduced to this one general, the contempt of the gospel, which was discovered by the rough handling of the messengers of Christ, the laying many congregations desolate, contempt of the sabbath and ordinances, and all kinds of profaneness.

The
plague.

Much about the same time the *pestilence* broke out in *England*, which increased in the city and suburbs of *London*, till eight or ten thousand died in a week. It was observed, in several papers written at this time, that the appearance of a globe of fire was seen above that part of the city where the SOLEMN LEAGUE and COVENANT was burnt. Whether that be true or not, it is certain the plague broke out there, and very few were left alive in the street where that open affront had been put upon the OATH of GOD.

It may, perhaps, be thought trifling to observe, with my author, that several remarkable signs did preceed and accompany the *pestilence*, such as the appearance of a large comet in the end of the last year, and of another in the month of *March* this year, together with such a violent frost and snow, that there was no plowing from *December* till the middle of *March*. How far these things were the prognosticks of severe judgments, I shall leave to the reader's own consideration.

Severities
abated.

The raging of the *pestilence* in *England*, the *Dutch* war, and some other occurrences, a little abated the fury of the managers in *Scotland*, so that some small favours were granted to *presbyterian* ministers and gentlemen, and the *prelates* began to be jealous of some of the noblemen, as not hearty enough in the interests of the church. Thus, on the 3d of *May*, *Walter Pringle* of *Greenknows*, who had been confined in the jail of *Elgin*, had his confinement enlarged, by obtaining the liberty of the whole town, and a mile round it, during the council's pleasure; and Mr. *John Smith* minister was permitted to come to *Edinburgh* for the advice of physicians.

Disturb-
ance.

But there happened a little disturbance in the *West-kirk* of *Edinburgh*, between the parishioners and Mr. *William*

William Gordon their curate; some of them were put in 1665: the *thieves hole*, and a man and a woman were scourged through the city; and about this time several in *Dumfries* were imprisoned for not hearing the curates and submitting to *prelacy*.

Nothing could alter the cruel disposition of the *bishops*; *Country* and *Sharp*, pretending that the *Fanaticks*, a name of re-disarmed. proach now given to the *presbyterians*, would rise and join the *Dutch* against the king, orders were given for disarming the west and south of *Scotland*. The violent seizure of their arms, which ensued, was a very great loss to the country. But it does not appear that joining the *Dutch* was so much as thought of by them; howbeit, the *prelates* judged themselves more secure, and at greater liberty to do what they pleased.

The duke of *York* sailed with the *English* fleet in *May*, *Sea fight*. and, before the *Dutch* could be ready, alarmed the *Rapin*. coasts of *Holland*. In the beginning of *June* the two fleets engaged, and the *Dutch* were overthrown by the *English*. The duke, seeing it was in vain to continue his pursuit, returned to the coasts of *England*, and after he landed repaired to *Whitehall* to receive the acclamations of the court and city of *London*.

On the 20th of *June* the council at *Edinburgh* published the king's proclamation for a thanksgiving to be observed on the 13th of *July*, recommending it to the bishops to order the ministers to read the same from their respective pulpits. *A thanksgiving.*

The same day *Mr. John Stirling* minister was permitted to come to *Edinburgh* about his necessary affairs, and afterwards allowed to continue there for his health till the 1st of *September*. And on the 6th of *July* *Mr. John Cameron*, who had been confined to *Lochaber* since the year * 1662. had his confinement changed to the city of *Glasgow*, and two miles round. *p. 137.*

About this time *Mrs. Trail*, wife of the reverend *Mr. Robert Trail*, formerly banished *, and who was now in *Holland*, was imprisoned for sending and receiving letters from her husband, though they contained nothing but what related to their family-affairs. *p. 136.*

On the 2d of *August* a convention of estates met at *Conven-Edinburgh*, in order to raise money for his majesty to support him in his war against the *Dutch*. *Sharp* was chosen preses; for it seems this was for the honour of the states.

1665. the church, that a *bishop* should be at the head of the convention.

Academical degrees.

It may be thought that by this time *episcopacy* was established in *Scotland* upon as sure foundations as human laws could go; but care must be taken to perpetuate this to futurity. Accordingly this summer an order was made, appointing that no *academical* degrees be conferred upon any who would not take the oath of *allegiance* and *supremacy*; so that a great many of the most deserving youths of the nation were excluded from their degrees, and the rising generation became gradually disposed to take any the most dubious and self-contradictory oaths that were imposed upon them.

p. 212. It was a great eye-sore to the bishops that some of the *ejected* ministers continued to preach openly, especially in the shire of *Galloway*: Wherefore that country was grievously oppressed by Sir *James Turner* and the soldiers under his command, at their instigation, and several in the parish of *Stewartoun* in *Ayr* were fined, and others imprisoned, for hearing a *presbyterian* minister. Bishop *Burnet* says, that the whole face of the government looked liker the proceedings of an *inquisition* than of legal courts, and yet *Sharp* was never satisfied; so lord *Rothes* and he went up to court the first year of the *Dutch* war. When they waited first on the king, *Sharp* put him in mind of what he had said at his last parting, that, if matters went not well, none was to blame but either *Lauderdale* or *Rothes*; and now he came to tell his majesty, that matters were worse than ever; and he must do the earl of *Rothes* the justice to say, that he had done his part. This exasperated *Lauderdale*, who, when *Rothes* and *Sharp* withdrew, told the king he was now accused to his face, but he would quickly let him see what a man *Sharp* was. Accordingly he followed the archbishop home, and told him it was the king's pleasure that he should put the accusation with which he had charged him in writing, and that he must either go through with it, else he would charge him with *leasing-making*. All this *Lauderdale* delivered in such a tone, that the upright prelate fell a trembling and weeping. He protested he meant *no harm to him*; only was sorry that his friends, upon all occasions, were pleading for favour to the *fanaticks*. *Lauderdale* told him that would not do; he was not answerable for his friends, except when they acted by directions from him. In short

Lauder-

Lauderdale carried *Sharp* to the king, where he retracted every thing he had said in so gross a manner, that the king said afterwards, that lord Lauderdale was ill-natured, to press it so heavily, and force *Sharp* to give himself the lie in such coarse terms. 1665

The high-commission court was now upon the decline; and tho' many were summoned before them, yet few obeyed the summons. However, some were obliged to appear, particularly Mr. *Hugh Peebles* minister at *Lochwinnoch*, in the shire of *Renfrew*, for preaching one sabbath night, in his own house, to some people who came to hear him. When this worthy person came before them, he used as-much freedom as might have provoked them to banish him had not this *inquisition-court* been on the decline. He told them he did not know what to make of their court; he could reckon it scarce either civil or ecclesiastic; yet, since his majesty's commissioner had commanded him, and self-defence was *juris naturalis*, he had appeared innocently to defend himself, and to give account of plain matter of fact. He told them, that, ever since he was a minister, he had exercised in his family on sabbath evenings, and the people who lived near him generally came to hear him. He alledged that the law did not militate at all against this, if the reason of the law be considered. The reason of their law behoved to be either to prevent people's leaving the publick worship, which could have no place in this case, or to prevent people's being alienated from the minister of the congregation, which could have no room either, since there was no minister settled where he lived: And since his preaching to his neighbours, whom he could not exclude from his house, did not thwart with the reason of the law, it could not be said to thwart with the law itself. But all he could say had no effect, the archbishop of *Glasgow* was resolved to be rid of him; and accordingly he was ordered to leave the west country, and confine himself to the town of *Forfar*, near 100 miles from where he then lived and had his estate.

When the high-commission did not answer the persecuting designs of the prelates, other measures were fallen upon. Accordingly the prelates gave in groundless suggestions and innuendoes against many excellent gentlemen, especially in the west, to such who found means to procure an order from the king to imprison them. West country gentlemen imprisoned.

1664. Bishop Burnet says, ' that his namesake, the archbishop of *Glasgow*, was sent up to possess the king with the apprehensions of a rebellion in the beginning of the Dutch war. He proposed that about twenty of the chief gentlemen of those counties might be secured, and undertook for the peace of the country if they were clapped up. The earls of *Argyll*, *Tweeddale* and *Kincardin* were cold in all these things.' However, about the beginning of *September* the following gentlemen, without the least previous notice, were apprehended by a written order from the commissioner, viz. major-general *Robert Montgomery* Brother to the earl of *Eglintoun*, *Sir William Cunningham* of *Cunninghamhead*, *Sir George Maxwell* of *Nether-Pollock*, *Sir Hugh Campbell* of *Cessnock*, *Sir William Muir* of *Rowallan*, major-general *Holburn* of *Menstrie*, *Sir George Monro*, colonel *Robert Halket* Brother to *Sir James Halket* of *Pitfirren*, *Sir James Stewart* late provost of *Edinburgh*, *Sir John Chiefley* of *Cariswell*, *James Dunlop* of that ilk, and *William Ralston* of that ilk. *Sir Patrick Hume* of *Polwart*, and others, were also imprisoned about this time. These excellent persons, when brought to *Edinburgh*, were, without any accusation or reason given, in a most arbitrary manner, imprisoned in the castles of *Edinburgh*, *Stirling* and *Dumbarton*, and other places, where several of them lay for many years. This could not but increase the people's hatred of the prelates.

On the 3d of *October* the council appointed the marquis of *Huntley* to be educated in the family of archbishop *Sharp*. We shall afterwards find that this nobleman was created duke of *Gordon*, and lived in the profession of *popery*; so that it would seem the primate took but little care of his education; he had something else to mind than such a trifle as this.

Proclamation
concerning
the fines.

On the same day the council issued a proclamation, ordering all persons who had not paid their fines, according to the act of parliament, to pay them in the manner following, viz. They that live on the south of the water of *Esk*, to pay their first moiety by the first of *December*, and those on the north side by the first of *February*, under the penalties mentioned in the act. It was also published, that all who would take the oath of allegiance, and subscribe the declaration, should be remitted the second moiety. There were some other regulations made on the 23d of *November*, but none were

to have any part of their fines remitted unless they complied with the terms just now mentioned, which no presbyterian could consistently do: And as there were but few that paid the first moiety, Sir James Turner was sent with the army to levy the same by military force, which produced dismal effects, as we shall hear.

On the 11th of October, archbishop Burnet, at the diocesan meeting at Glasgow, got a sentence of deposition passed against the reverend Mr. Robert Maxwell, minister at Munktown, in the presbytery of Ayr, because he refused to submit to the bishop, and baptized and married several who could not in conscience favour the curates. He was one of the old ministers, who had been settled before 1649. and having been a grave, pious and useful preacher in that place, for almost 25 years, had justly acquired the hearty affections of his people. But there was no continuing among them when the sentences of this period were executed by an armed force. His sentence was intimated to him on Saturday 18th of February; next day he preached his farewell sermon from Ecclesi. v. 4. and had a very moving discourse at his sorrowful parting with his beloved people.

By this time, many of the old ministers, who had seen the church of Scotland in her glory, were got to their rest, several of whom died in peace, and in the solid hopes of a glorious deliverance to this church. Others of them were harrassed by the prelates; for in October Mr. Matthew Ramsay minister at Kilpatrick-west, in the presbytery of Dumbarton, a person of a most amiable character, was deposed by the bishop in the synod of Glasgow, merely for not attending on the diocesan synods and presbyteries. For the same cause Mr. Robert Mitchel minister at Luss was suspended, in order to be deposed next year; and, on the 14th of that month, George Porterfield and John Graham, late provosts of Glasgow, who had retired to Holland, were summoned to appear before the council, and upon their not appearing they were declared rebels and fugitives.

In the beginning of November Rothes the commissioner made a tour with a splendid retinue to the west, and returned to Edinburgh about the end of the month, when some more severe acts were made against presbyterian ministers, as had been the consequence of Middleton's circuit some years before.

Accord-

1665. Accordingly, on the 7th of *December*, they made an act against all the *presbyterian* ministers, extending even to those who had been settled before the year 1649. who had relinquished their ministry, or been deposed by their ordinary, and all such as should hereafter relinquish their ministry, or be deposed by their ordinary, commanding them to remove, with their families, 20 miles from their respective parishes, 6 miles from *Edinburgh* or any cathedral church, and 3 miles from any royal burgh, and not two of them to reside together in any one parish; and all heritors and others were forbid to give them any countenance in their preaching, or in any part of their ministerial office.

Proclamation
against conventicles.

The same day a proclamation was ordered to be published and printed against conventicles, forbidding all meetings for worship except those authorised by law; and declaring that all found at such meetings should be looked upon as seditious persons, and be punished by fining, confining, and other corporal punishments, as the council, or any having his majesty's commission, should think fit; and farther declaring, that all ministers that shall perform any part of the ministerial office at such meetings, and all who shall encourage them, shall be liable to the highest pains to be inflicted on seditious persons: And ordering all sheriffs, stewards, magistrates, and other officers, to search for such meetings, and apprehend every person who shall be found at them.

Remarks.

In the preamble to this proclamation these conventicles are said to be the ordinary seminaries of separation and rebellion, and in themselves reproachful to the king's government ecclesiastical and civil. That they were separated from the *prelates* and their *curates* is certain; but the reader is to judge whether *these* had not separated from the reformation of the church of *Scotland*, and given just ground to ministers and people to withdraw from them; and whether it was not the greatest reproach to the king's government to overturn that very reformation, which his majesty and the most of the managers, the *primate* himself not excepted, had so solemnly sworn to maintain.

Meetings
for exercise.

The same day an act passed in favour of the *curates*, wherein it was declared, ' That his majesty, with advice of his council, by virtue of his *supremacy*, allows the bishops to depute such of their *curates* as they judge

judge qualified, to *conveen for exercise*, and to assist in discipline, as the bishops shall direct them. But the whole power of ecclesiastical censure is reserved to the bishop, except the parochial rebukes, and he only must suspend, deprive or excommunicate.' This was the form of the *prelatical presbyteries*, all flowing from the *supremacy*. They would not call it by the name of a presbytery, and in so far they were right; for the members of it were the creatures and tools of the *bishops*, as *these* were of the king. How unlike were these to the regular presbyteries that were formerly in this church! Might it not now be said, *How is the gold become dim! How is the most fine gold changed!* 1665.

The same day the council granted a commission for discipline, and authorised ministers in each congregation to chuse proper persons for this end; of which more in the next chapter. And, at the same sederunt, taking into consideration, that there were several prisoners in the tolbooth of *Edinburgh*, who were willing to be transported to *Barbadoes*, they ordered the magistrates to deliver them up to *George Hutcheson* merchant for transportation. These were the remains of those who had been imprisoned by the high-commission court; and, considering the hardships they underwent, it was no wonder though they preferred transportation to such a confinement. The next chapter will open a more melancholy scene than any that has yet appeared.

C H A P. VII.

Of the occurrences preceeding the rising at Pentland, of the rising itself, the executions and other consequences of it, together with several other transactions during the year 1666.

WE have seen what cruel and unjust oppressions the *presbyterians* endured during the five preceeding years; how their liberties, both religious and civil, were taken away, their ministers scattered, banished, or imprisoned, and the people exposed to the merciless ravages of the army, and all this for maintaining their religious principles; and yet they bore all with surprising patience, hoping that providence would interpose for their relief: And therefore, as one justly observes, if the poor people, by those insupportable violences 1666.

Memoirs of the church of Scotland, p. 159.

1666. violences were made desperate, who can justly reflect upon them, when *oppression makes a wise man mad*? But the measures pursued this year were such, as if there had been a formed design to force the people into violent measures.

Commis-
sion for
discipline.

We have heard how the council granted a commission for discipline, in which the established ministers were to make choice of proper persons to assist them in the exercise of discipline; in case of refusal or delay to acquaint the bishop; upon his order to summon them before the *brethren of the exercise*; and, upon their not appearing, or persisting in their refusal, to transmit their names to the council, in order to their being prosecuted according to their demerit, and as the case required. They well knew that no real *presbyterians* would so far abandon their principles as to incorporate themselves with the *prelates*; because that would have been a formal acknowledgment of the *hierarchy*, which they justly looked upon as contrary to the word of God. And so this was another designed occasion of suffering to many, who chose that rather than sinning.

Sufferings
on this ac-
count.

It was common, in this period, first to punish for what they reckoned criminal, and then to make laws against what they had already condemned. Accordingly, even before this commission for discipline was granted in the year 1664. several suffered for not assisting the *episcopal* incumbent, as *John Grosbie* in *Eastercotes* in the parish of *Cambuslang*, who was harrassed from place to place. *Robert Hamilton* in *Spittal*, in the same parish, was this year prosecuted on the same account; *William Alexander* and *William Baird*, in *Drips* of *Carmonnock*, were fined in 100 L. each; *Jasper Touch* in the parish of *Kilmarnock*, and *Andrew Taylor* joiner and carpenter there, suffered on the same account; nay, it was for refusing compliance with this order, among other things, that the laird of *Aikenhead*, with some other gentlemen, were confined to *Inverness*, *Elgin* of *Moray*, and other places at a vast distance from their own homes. But it is remarkable, that Mr. *John Paterfon* bishop of *Ross* wrote to his son, desiring him to acquaint *Sharp*, that the west-country gentlemen confined in *Elgin*, &c. had done more mischief by coming north, than they could have done in their own houses, and begging that they might be recalled, that so they might not spread their infection farther. — So that the sufferings of the per-
secuted

secuted turned to the real prejudice of the cause of pre- 1666:
lacy.

As the council's commission for discipline, so the o- Letters a-
ther proclamations emitted with it, brought great di- gainst se-
stres upon the ejected ministers. Accordingly, on the veral mi-
25th of January, the council directed letters for appre- nisters.
hending and prosecuting the following ministers, viz.
Messrs. John Welsh late at Irongray, for preaching every
week in the said parish and other places, and baptizing
several children; Gabriel Sempill late at Kirkpatrick in
the muir, for the like grievous crimes, and for riding
through the country in disguise with sword and pistols;
John Blackader late at Traquair, Robert Archbald late at
Dunscoir, and Alexander Peden, all for preaching and
baptizing; John Crookshank for holding conventicles and
keeping by him Buchanan *de jure regni apud Scotos*, and
translating the same into English; Samuel Arnot late at
Kirkpatrick-Durham, John Douglas, William Reid and
John Wilkie, with John Osburn in Keir, who presumed
to act as an officer, in giving notice to the people of
what they called unlawful meetings. Though all these
were disaffected to prelacy, yet none of them, as was
falsely alledged in the general charge, had either preach-
ed or declared against the king's authority.

On the 1st of February the council gave orders that
the excommunicated quakers should be prosecuted ac-
cording to act of parliament, and that the laws against
the papists should be put in execution; but it is well
known that quakers and papists still increased. The bi-
shops were only in earnest to bear down presbyterians.

Accordingly, on the 8th of February, a proclamation Procla-
was published against a book intituled *An apologetical re- mation a-*
lation of the particular sufferings of the faithful ministers gainst the
and professors of the church of Scotland since August apologetical re-
1660. This book, which was composed in Holland tical re-
by the reverend Mr. John Brown, formerly banished *, * P. 135
was ordered to be burnt by the hand of the hangman,
in the high street of Edinburgh, on the 14th of February,
and all persons who had copies of it were command-
ed to deliver them to the sheriffs of their respective
shires, or else be liable to the payment of 2000 L. Scots
money. Nevertheless this method did not answer their
purpose; for the people were the more eager in seek-
ing after prohibited books. But such was the popish
and prelatick way of dealing with books which they
were

1666. were not able to answer. How vile it was to prosecute any for having that book before the proclamation was exhibited against it, must be left with the reader; yet, on the same 8th of *February*, the widow of the reverend Mr. *James Guthrie*, and her daughter *Sophia Guthrie*, were brought before the council, for no other reason but for having the said book, in which Mr. *Guthrie* is fully vindicated; and, upon their refusing to discover the author, or from whom they had it, they were ordered to be sent to *Zetland*, where they were to be confined during pleasure, and to be kept prisoners till they should be sent thither. But, next council day, the members, being sensible of the harshness of this sentence upon a petition from these gentlewomen, referred the matter to the commissioner.

The arch-
bishop of
Glas-
gow's
conduct.

The ejected ministers, as yet, for the most part, preached only to their own families, and to a few neighbours, who now and then stole into their houses; so that, unless in a few places in the south, there were but few sermons preached in the fields. However, the oppressions of the people were on the growing hand; and Mr. *Burnet* archbishop of *Glasgow*, being now a member of the privy-council, had no small share in the west country persecution. He was a mighty biggot for *episcopacy*, and ordained five or six of his curates publicly after the *English* pontifical, the better to inure the west of *Scotland* to these novelties. He likewise grievously oppressed the city of *Glasgow*, so that some of the greatest *episcopalians* protested against his incroachments upon the magistrates of that city. He turned out several *presbyterian* ministers who had been connived at before his accession, such as Mr. *William Hamilton* minister at *Glasford*, and others: And his underlings were very assisting to him in his cruelties and oppressions.

Burnet's
account,
p. 215,
216,
217.

The historian *Burnet* says, that many of the *episcopal* clergy of *Scotland* were much offended at the proceedings of those times, and that he himself observed the deportment of the bishops was, in all points, so different from what became their function, that he had a more than ordinary zeal kindled within him upon it. They were not only *furios* against all that stood out against them, but were very remiss in all the parts of their function, — Whereupon he took a resolution of drawing up a memorial of the grievances he and the other clergy lay under

under by the ill conduct of the bishops — of this he wrote out some copies and sent them to all the bishops of his acquaintance. — Whereupon he was called before the bishops, and treated with great severity; for *Sharp* proposed that he should be summarily deposed and excommunicated, but none of the rest would agree to that. — Let the reader judge whether matters were not bad, when a BISHOP gives such an account.

In the spring, Sir *James Turner* marched with his soldiers to the *presbyterians* in the west, and laid them under the most grievous oppressions; and any *curate*, with two or three of these *armed apostles*, fined whom they pleased, and made as large exactions as they had a mind; for now the gentleman must pay, if his lady, servant or tenants did not attend at the parish church; the tenant must be oppressed, if his landlord withdrew, though he and his family attended ever so closely. The widow, the fatherless, the old and infirm were not spared, the very poor must beg to pay the church fines. The meat was snatched from the mouths of innocent children, and thrown to the dogs; many houses were quartered upon, and when their provision was consumed, the furniture was either sold or burnt; so that multitudes of poor families were scattered and reduced to the utmost extremities. Who then can be surprised, tho' the bishops, who were formerly hated for their perjury and immorality, were now the aversion of the people for their cruelty? for all this was by *their* instigation. I must refer the reader to Mr. *Wodrow's* * appendix, and to the account given in † *Naphtali*, where he will find what prodigious sums were extorted from the south of Scotland, and what unheard of cruelties were exercised towards the poor people. In a few weeks the curates and soldiers levied above 50,000 *l. Scots* from the two shires of *Galloway* and *Dumfries*.

Sir
James
Turner's
oppress-
ions.

Vol. I.
No. 2.
† 287,
&c.

The *parliamentary* fines, of which we have spoken, were exacted with rigour this year; and, in order to this, the troopers of the king's guard were ordered to different parts of the country, with a list of those from whom they were to exact such and such sums, and to take free quarters till they had paid the utmost farthing. Then they must go to *Edinburgh*, report their discharge, and satisfy the troopers besides. This was called *riding-money*, and sometimes the riding-money was as much as the fine itself to the common sort of people. No excuse

Parlia-
mentary
fines ex-
acted.

Riding-
money.

1666. cuse was sustained, but taking the oath of *allegiance* and subscribing the *declaration*; and they who could neither entertain the troopers, nor pay their fines, were immediately dragged to prison, where they lay a considerable time at the publick charges.

While matters were thus managed the primate repaired to *London*; and, as the *high-commission* was dissolved, some other method must be taken to carry on his wicked designs. Accordingly it was proposed that some more *forces* should be raised for securing the quiet of *Scotland*. Burnet tells us, that, when the king asked how they should be paid, *Sharp* very readily said, the money raised by *fining* was not yet disposed of, so he proposed the applying of it to that use, which was agreed to; and by this means our managers were baulked in their expectations of dividing the spoils among themselves. Burnet goes on, and says, The blame of all this was laid on *Sharp*, at which they were out of measure enraged, and charged him with it. He denied it boldly. But the king published it so openly, that he durst not contradict him. Many, to whom he denied that he knew any thing of the matter,----affirmed it to the king, and *Lauderdale* laid before his majesty several of his letters which he had wrote to the *presbyterians* after the king knew he was negotiating for *episcopacy*,—so that the king looked on him as one of the *worst* of men. And yet we will find he was afterwards represented as a *saint*.

New
forces
raised.

In consequence of the above resolutions, two regiments of foot, and six troops of horse were raised. *Thomas Dalziel* of *Binns* was made general, and *William Drummond*, brother to the lord *Madertie*, lieutenant-general. These, with the guards and the earl of *Linlithgow's* regiment, made up about 3000 foot, and eight troops of horse; all were ordered to obey the general, who was a man naturally rude and fierce. This army was to be maintained by the fines collected and to be collected, and the general was to be accountable to the exchequer for every farthing; but, as most of these fines were otherways disposed of before they came into the general's hands, it was found necessary to lay new burdens on the subjects for the support of the army: Accordingly, about the end of the year, a proclamation was issued for calling a *convention of estates* to raise money for maintaining the soldiers in defence of the kingdom. But their sitting was prevented for some time.

On

On the 8th of *June* the council passed an act forbid- 1666.
ding university degrees to be conferred upon any stu-
dents who would not take the *oath of allegiance and Arbitra-*
supremacy; for ecclesiastical tyranny is generally accom- *ry pro-*
panied with encroachments on civil liberty. *ceedings.*

On the Lord's day, the 2d of *September*, a most dread- The fire
ful fire began in *Pudding-Lane* behind the monument, of Lon-
London, which, within three or four days, consumed 89
churches, the city gates, *Guildhall*, many publick struc-
tures, hospitals, schools, libraries, a vast number of
stately edifices, 13200 dwelling houses, 400 streets; so
that multitudes of people lost their estates, goods and
merchandise, and many families, once in flourishing cir-
cumstances, were reduced to beggary. From the in-
scription about the *Plinth* of the lower pedestal of the
monument, it appears that the *papists* were the authors
of this fire; for thus they say, 'This pillar was set up
'in perpetual remembrance of the most dreadful bur-
'ning of this *protestant* city, begun and carried on by
'the treachery and malice of the *papist* faction, in the
'beginning of *September* in the year of our Lord 1666.
'in order to their carrying on their horrid plot for the
'extirpating the *protestant* religion and *old English* liber-
'ty, and introducing *popery* and *slavery*.' The parlia-
ment, being of this persuasion, addressed the king to
issue out a proclamation, requiring all *papist* priests and
jesuits to depart the kingdom within a month; and ap-
pointed a committee, who received evidence of some
papists, that were seen throwing fire-balls into houses,
and of others who had materials for it in their pockets.
This sad disaster produced some kind of liberty to the
non-conformists about the ruinous metropolis, whereas
the managers in *Scotland* continued to oppress their fel-
low subjects. Accordingly, on the 13th of *September*, *Incroach-*
the council wrote to the town of *Ayr*, signifying it was *ments on*
their pleasure that provost *Cunningham* should be continu- *the royal*
ed this year as he was the last, and thus they were de- *burghs.*
prived of their right of election; nay, letters were sent
to each of the royal burghs, ordering them to send in
to the clerk of the council the *declaration* appointed by
parliament, signed by all the members of their town-
council and magistrates since the last returns were made.

On the 11th of *October* the council published a most *A rigor-*
rigorous proclamation, for procuring obedience to ec- *ous procla-*
clesiastical authority; by which all matters were charged *mation.*

1666.

w

to see that their servants give obedience to all the acts relating to conformity, and keep none in their service but such as did. All heritors are to see to their tenants conformity, and abstaining from conventicles, to oblige them to give bond for this effect, and to raise burning against them upon their refusal, &c. This proclamation was in consequence of a letter from the king, at the instigation of *Sharp*. Now, by all these impositions, exactions and terrible encroachments upon every thing that was dear to men and christians, the spirits of many could not miss being imbittered.

Nevertheless the poor people lay under all these miseries for the space of seven months and upwards, after *Sir James Turner* marched to the west in the spring, and not only discovered their patience towards God, but gave a greater testimony of their loyalty and submission to the king, than all the *fulsom* and *flattering professions* of their enemies.

Occasion
of the ris-
ing at
Pentland.

Sir James continued to make terrible havock in the west and south, insomuch that the country was almost ruined, families were dispersed, and many, both gentlemen and others, were forced to abandon their houses, and wander from place to place among the mosses and mountains, to escape the ravages of the merciless soldiers, without having the least thoughts of resistance, or rising in arms for their own defence; for that which, in a little time, happened at *Pentland*, was entirely casual. Thus.

Soldiers
disarmed
at Dalry.

Upon *Tuesday* the 13th of *November*, four countrymen, refreshing themselves in *Dalry* a small country village in *Galloway*, were informed that three or four soldiers had seized a poor old man, and brought him to his own house, where they were going to strip him naked, and set him upon a red-hot grid-iron, and using other unheard-of cruelties. Whereupon they immediately repaired to the house, and begged the soldiers to let the poor man alone; but they, instead of complying with this humane desire, attacked the countrymen, who got the better, disarmed the soldiers, and thereby relieved their fellow-sufferer; and lest the other soldiers in the parish, who were about twelve in number, should fall upon them, they were joined that same night by seven or eight acquaintances, and, next morning early, surprised the party of soldiers, who all laid down their arms, except one who was killed in making resistance.

The

The country upon this was alarmed, and being justly apprehensive of the reprisals which Sir James Turner would make, they resolved to stand upon their own defence the best way they could. Accordingly the laird of Barscob, and some other gentlemen in the neighbourhood, joined the countrymen, and, getting together about fifty horse and a few foot, without loss of time went to Dumfries on the 15th of November, where they surprised Sir James, took him prisoner, and disarmed his soldiers, without hurting any of them except one who was wounded. This being done, they went to the market-cross, and publickly drank the king's health and prosperity to his government.

This was the beginning of the insurrection this year, and therefore it is false to pretend that it was in concert with the whigs in England, or the republicans in Holland, such a correspondence, as my author observes, not being practicable, considering the circumstances above related. Rapin justly observes, that it may easily be judged that the presbyterians in England would not have been spared, if they could have been proved guilty, considering how the government stood affected towards them. Neither was this the effect of any previous consultation with their ministers, as bishop Burnet intimates; so that he says, without any ground or proof, that Messrs. Sempill, Maxwell, Welsh and Guthrie, were the chief incendiaries. The reader is to judge whether the informations Burnet had from the persecutors, or those of the sufferers themselves, are most to be depended upon.

Stephen Irvine, one of the magistrates of Dumfries, informed the council, on the 16th of November, of an insurrection by a considerable number of armed men, particularly that he saw—Neilson of Corsack, MacLellan of Barscob, Mr. Alexander Robertson a minister's son—MacCartney of Blaiket, and James Callum glover in Dumfries, among them.

This news struck a panic into the prelates and managers at Edinburgh, who immediately dispatched an express to court. The earl of Rothes had gone for London a day or two before the affair at Dalry; so that the express reached the king before his lordship, who was quite surprised when his majesty told him of this horrible conspiracy, as the council termed it. At the same time the council wrote to the neighbouring noblemen to exert themselves in maintaining the peace, and to

1666.
Sir James
Turner
made pri-
soner.

False ac-
counts of
this rising.

Vol. II.
P. 233.

Proces-
sings of
the coun-
cil.

concur

1666. *concur with and support the forces. Next day they ordered general Dalziel, with as many of the forces as could be got together, to march to Glasgow; and from thence to the place where he should find the insurrection come to any head, after they had taken care to secure the metropolis, and given orders to several of the nobility to contribute their assistance by coming in with their men and arms. On the 21st they issued a proclamation against the rebels in arms in the west, commanding and charging them to desist from their rebellion, lay down their arms, and surrender their persons to the lieutenant-general, or some other of the king's officers or magistrates, within 24 hours after this publication; and discharging all persons from aiding, assisting, resetting, harbouring, or keeping any correspondence with the rebels, or any of them, under the pain of treason.*

Remarks. This proclamation contained *no promise of indemnity*: so that, upon the matter, it was commanding people to come to the scaffold, and requiring them to submit to the severities of the *prelates*, who were the fountain of all their miseries. Besides, 24 hours after the date of the proclamation was so short a time, that it would be elapsed before it could reach *them in Galloway*; so that it was not possible for them to comply with the terms of it: Bishop *Burnet* therefore was misinformed, in saying that the general published a proclamation of pardon to all who should in 24 hours time return to their houses.

Proceedings of those in arms. After those who were in arms had seized Sir *James Turner*, and were determined to defend themselves, their first care was to increase their numbers, and get all the assistance they could from their friends: But several whom they hoped would have joined them thought it convenient to remain quiet. However, they were joined by colonel *Wallace*, Mr. *John Welsh*, Mr. *Robertson*, and others. When they were got to *Ochiltree*, Mr. *John Guthrie* minister at *Tarbolton* came to them with some from that parish; Mr. *Gabriel Sempill* preached to them, and here they modelled themselves, chose their own officers, and held their first council of war, where, after prayer, they resolved to march eastward to *Edinburgh*. When they were got to *Douglas*, after debating upon that important question, whether they should disperse or continue in arms, it was resolved upon the latter, be-
lieving

believing that God was able to save by few as well as by many; and, if their design should miscarry, they had this for their comfort, that they had engaged in the cause of religion and liberty, and were not unwilling to die as sacrifices to *these*. They also resolved to carry Sir *James Turner* along with them; and though it was proposed to take away his life, yet they spared him, because it is said they found, that, notwithstanding all the cruelties he had used, he had received orders from the bishops, and others, for a great deal more than he had done. They also unanimously resolved to *renew the covenants*.

Accordingly on sabbath morning they marched for *Lanerk*, to which they came at night. In the way, *Knockbreck's* two sons, with some few from *Galloway*, overtook them, and signified that no more were to be expected from the south; and here their numbers were the largest, being judged to be near three thousand: However, one who was among them says, 'When we came to *Lanerk*, I know not if we were much above fifteen hundred horse and foot; several indeed were daily joining us.'

This night they gave intimation that they intended next day, being the 26th of *November*, to renew the covenant at that place. In the morning they were alarmed with the news that general *Dalziel* was within a few miles of them; whereupon some were for postponing the renewing of the covenants, but that motion was rejected. And therefore, after they had sent out some parties, and placed proper guards, they began the solemn work. And as they could not, together with the townsmen and the people in the adjacent country, meet all in one place, they separated into two companies. The foot assembled in the high street of *Lanerk*, to whom Mr. *John Guthrie* minister at *Tarbolton* preached a sermon suitable to the occasion. After which he read the covenants, to every article of which, with their hands lifted up to heaven, they engaged with great solemnity and devotion. The horsemen met at the head of the town; Mr. *Gabriel Sempill* and Mr. *John Crookshank* preached to them. After sermon the covenants were read and sworn, as above. It is likely it was about this time that the principal persons among them drew up and agreed to the following short manifesto, or declaration, for present use, with a view to draw up

1666. up a larger one afterwards ; neither month nor day is mentioned.

Declaration of those in arms for the covenant, 1666.

THE nature of religion doth sufficiently teach, and all men almost acknowledge the lawfulness of sinless self-defence ; yet we thought it our duty, at this time, to give an account unto the world of the occasion and design of our being together in arms, since the rise and scope of actions, if faulty, may render a thing, *right* upon the matter, *sinful*.

It is known to all that the king's majesty, at his coronation, did engage to rule the nation according to the revealed will of God in scripture, to prosecute the ends of the *national and solemn league and covenants*, and fully to establish *presbyterian* government, with the directory for worship, and to approve all acts of parliament establishing the same ; and thereupon the nobility and others of his subjects did swear allegiance, and so religion was committed unto him as a matter of trust, secured by most solemn indenture betwixt him and his people.

Notwithstanding all this, it is soon ordered that the *covenant* be burnt, that the tye of it is declared void and null, and men forced to subscribe a *declaration* contrary to it ; *episcopal* government in its height of tyranny is established, and men obliged by law not to plead, witness or petition against those things ; grievous fines, sudden imprisonments, vast quarterings of soldiers, and a cruel inquisition by the *high-commission court*, were the reward of all such who could not comply with the government by *lordly hierarchy*, and abjure their covenants, and prove more monstrous, to the wasting their conscience, than nature would have suffered heathens to be. Those things, in part, have been all *Scotland* over, but chiefly in the poor county of *Galloway* at this day ; and, had not God prevented, it should have in the same measures undoubtedly befallen the rest of the nation ere long.

The just sense whereof made us chuse rather to betake ourselves to the fields for self-defence, than to stay at home burdened daily with the calamities of others, and tortured with the fears of our own approaching misery. And considering our engagement to assist and defend all those who entred into this

league

'league and covenant with us; and to the end we may
'be more vigorous in the prosecution of this matter,
'and all men may know the true state of our cause,
'we have *entred* into the *solemn league and covenant*;
'and, though it be hardly thought of, *renewed* the
'same, to the end we may be free of the apostacy of
'our times, and saved from the cruel usages persons
'resolved to adhere to this have met with; hoping
'that this will wipe off the reproach that is upon our
'nation, because of the avowed *perjury* it lies under.
'And being fully persuaded, that this *league*, however
'misrepresented, contains nothing in it sinful before
'God, derogating to the king's just authority, the pri-
'vileges of the parliament, or liberty of the people,
'but, on the contrary, is the surest *bond* whereby all
'these are secured, since a threefold cord is not easily
'broken, as we shall make appear in our next and larger
'*declaration*, which shall contain more fully the proofs
'of the lawfulness of entering into *covenant*, and necessity
'of our taking arms at this time for the defence of it;
'with a full and true account of our grief and sorrow
'for our swerving from it, and suffering ourselves to
'be divided, to the reproach of our common cause, and
'saddning the hearts of the godly; a thing we sorrow-
'fully remember, and firmly resolve against in all time
'coming.'

Tho' this paper seems to have been made in haste, in *Remarks*
the midst of many insurmountable inconveniencies, yet
there is nothing in it against the king's authority. As
for the larger *declaration* promised, it is probable that
it was never drawn up, they having been a little after
this routed at *Pentland*.

While they were at *Lanerk* *William Laurie* of *Black-Black-*
wood came up to them from duke *Hamilton*, to prevail *wood*
with them to lay down their arms; but, as he did not *sent*.
apply to colonel *Wallace*, or any of their officers, he re-
turned without success.

In the afternoon *Dalziel* with his army were entering *Motions*
Lanerk before colonel *Wallace* and his men had all left it. *of colonel*
The latter marched that night to *Batbgate*, where, hav- *Wallace*.
ing no accommodation, they renewed their march about
midnight, and came, after inexpressible fatigue, to the
Newbridge in the morning, and it was reckoned that
that they lost that night near the half of their little army.

1666. From thence they marched to *Collingtoun*, within three miles of *Edinburgh*.

By this time the king's forces were come to *Calder*, within five miles of them, and all gentlemen, and others, in *Edinburgh*, who had horses, were ordered by the council to mount them, and march under the command of the marquis of *Montrose* to join the general, so that they could not have any of their friends to join them; for tho' a few gentlemen in *Renfrew* shire had assembled a small company of horsemen, about fifty in number, in order to join colonel *Wallace*, yet, hearing that *Dalziel* was between them and their friends, they thought proper to disperse. This small party was commanded by *William Muir* of *Caldwell*, and with him were *Robert Ker* of *Kersland*, *Caldwell* of that ilk, the laird of *Ralston*, *John Cunningham* of *Bedland*, *William Porterfield* of *Quarreltoun*, *Alexander Porterfield* his brother, &c. together with Mr. *Gabriel Maxwell* minister at *Dundonald*, Mr. *George Ramsay* minister at *Kilmawers*, and Mr. *John Carsstairs* minister at *Glasgow*. The laird of *Blackstoun* was likeways with this party, but was so far from being a friend to the cause they were appearing for, that, upon hearing of the defeat at *Pentland*, it is said, that he went to the archbishop of *Glasgow*, and, upon promise of pardon, discovered and informed against the rest.

Black-
wood's
negotiation.

But to return to colonel *Wallace* and his decreasing army. While on their march to *Collingtoun* the laird of *Blackwood* came up again to them, with proposals from duke *Hamilton* to lay down their arms, in hopes of an indemnity, which the duke promised to endeavour to obtain for them; but the colonel, and they who were with him, dismissed *Blackwood* without complying with his proposals. When they got to *Collingtoun*, and found themselves disappointed of any assistance from their friends about *Edinburgh*, both their hopes and counsels were at an end. And here *Blackwood* came a third time, and with him the laird of *Barskimming*, to renew the former proposal; withal signifying, that he had obtained the general's word of honour for a cessation of arms till next morning, and that he had undertaken as much from them. Upon this colonel *Wallace*, by appointment, wrote to the general by these two gentlemen, representing their grievances, and signifying that their design was to apply to the council for redress, and desiring a pass for one of their number that might represent

represent their grievances and desires more fully; concluding with a request that *Blackwood* might return with the general's answer as soon as possible. 1666.

But the general, instead of returning any answer, sent the letter directly to the council; and, notwithstanding the assurances given of a cessation of arms, marched his army streight towards them. Colonel *Wallace* and his men resolved upon the best retreat they could, and from *Collingtoun* they marched to the house of the muir, and from thence to *Rullion-green* near *Pentland-hills*, where they drew up the dispirited remains of their army, not exceeding nine hundred men, spent and fatigued. They had no design of fighting, but were still in hopes of a peaceable conclusion from *Blackwood's* negotiation.

They were scarce formed in this manner, when an alarm came that a body of horse was approaching them; they found it was *Dalziel's* van, which had cut through the ridge of *Pentland hills*, and came upon them undiscovered, till they were within a quarter of a mile, upon a hill over against them. Colonel *Wallace* upon this sent captain *Arnot*, who repulsed lieutenant-general *Drummond*, who was sent by the general with a select party to begin the attack. Here Mr. *John Crookshank* and Mr. *Andrew MacCormock*, two ministers come from *Ireland*, were both killed. When the lieutenant-general was driven back, there was no small confusion among *Dalziel's* army, of whom not a few threw down their arms. Major *Learmont* made the second attack, and repulsed the enemy; duke *Hamilton* narrowly escaping. The last encounter was after sun-set, when the general's foot, flanked with their horse upon all hands, overpowered the colonel's little army, and compleatly routed them. There were some more than fifty of the colonel's men killed, and as many taken prisoners. The two ministers, and others who lost their lives in this action, were buried at *Rullion green*. There was afterwards a stone put on their grave, with an inscription, which the reader will find in the cloud of witnesses; 'several of *Dalziel's* army were wounded, but few of them killed.'

After this action the people in the adjacent parishes were very cruel to the fleeing army, many of whom they killed, and others they took prisoners. Colonel *Wallace* and Mr. *John Welsh* fled north; the former got safe

1666. to *Holland*, where he lived several years. We shall meet with the latter afterwards. Thus was this body of good people dispersed and routed upon the 28th of *November* 1666. and an end put to this rising, which by their enemies was termed a **REBELLION**, a horrible conspiracy, and what not; though they always protested, that their only design was to present their grievances, and bear a testimony for their God and their country, for their religion and liberty.

*Account
of the ac-
tion given
to the
king.*

The day after the engagement the council wrote to the king, giving him an account of the suppressing of the rebellion; in which, among other things, they say, 'many of them are prisoners, against whom there shall be speedy proceedings---But although this rabble be totally dissipated for the time, yet we conceive ourselves obliged, in the discharge of our duty, to represent unto your majesty, that those principles, which are pretended as the ground of this rebellion, are so rooted in many several places through the kingdom, and there be such just grounds of apprehensions of danger from persons disaffected to your majesty's government, as it is now established by law, as will require more vigorous application for such an extirpation of it, as may secure the peace of the kingdom, and due obedience to the laws. And we shall not be wanting in any thing in our power; and your majesty's commands shall be obeyed by

' Your majesty's most, &c.

' St. ANDREWS, &c.'

*Some consequences
of this
rising.*

Though this small handful was provoked to rise in arms, great care was taken, not only to brand the whole body of *presbyterians* as rebels and traitors, but also to prevent any of those who had been in the Engagement from making their escape. On the 30th of *November* the lord treasurer was appointed by the council to secure the goods and rents of all who had been at *Pentland*. After all this, it is easy to imagine that the hardships of these poor people must have been exceeding great. Besides those who, having escaped from the field of battle, were most cruelly murdered by the country people, multitudes were forced for many years to lurk and conceal themselves, and undergo intolerable difficulties.

*Orders
for a
search.*

' On the 1st of *December* the council gave orders to general *Dalziel* to search for and apprehend all persons,

' sons, and their horses, who have been in arms with 1666
' the rebels, or are suspected, since or before their de-
' feat, or who have reset and been aiding to them, and
' to intromit with their goods, and require him to quarter
' upon their lands with his forces; and duke Hamilton
' was appointed to seize all such in Lanerksbire.'

On the 4th of December a very severe proclamation *Procla-*
was published, in which all and every one of the subjects *mation a-*
were strictly charged not to harbour, reset, supply or cor- *gainst the*
respond, hide or conceal the persons of colonel James *rebels.*
Wallace, major Learmont—Maxwell of Moncrief younger,
MacLellan of Barscob,---Gordon of Parbreck,---
MacLellan of Balmagachan,---Cannon of Burnsballoch
younger,---Cannon of Barley younger,---Cannon of
Mordroget younger,---Welsh of Skar,---Welsh of
Cornley,---Gordon of Garery in Kells, Robert Chalmer
Brother to Gadgirth, Henry Grier in Balmaclellan, Da-
vid Scot in Irongray, John and William Gordons, John Mac-
Naught, Robert and Gilbert Cannons, all in Midtown of
Dalry,---Gordon of Bar elder in Kirkpatrick-durham, Pa-
trick MacNaught in Cumnock, and his son John,---
Gordon of Holm younger,---Dempster of Carridow,---
of Dargoner,---of Sundiwal,---Ramsay in the Mains
of Arnistoun, John Hutcheson in Newbottle,---Rex chap-
lain to Scotstarbet, Patrick Listoun in Calder, and his
son William, James Wilkie in the Mains of Cliftounhall,
the laird of Caldwell, the goodman of Caldwell, the laird
of Kerland. the laird of Bedland-Cunningham,-----Porter-
field of Quarreltoun, his brother Alexander,-----Lockhart
of Wicketshaw---Trail son to Mr. Robert Trail, David
Poe in Pokelly, and messieurs Gabriel Semple, John Semple,
John Guthry, John Welsh, Samuel Arnot, James Smith,
Alexander Peden, --- Orr, William Veitch, --- Pat-
ton, --- Crookshank, Gabriel Maxwell, John Carstairs,
James Mitchell, William Forsyth, or any others who
concurred or joined in the late rebellion; but that they
pursue, apprehend and deliver them up to justice, other-
ways to be esteemed and punished as favourers of it.
My author was informed, that several of the persons a- *Remarks.*
bove named were noways concerned in the rising. Mr.
John Crookshank was killed in the action, so that none
could be in hazard of correspondence with him. And
as the John Semple named amongst the ministers, might
be mistaken for one Mr. John Semple minister at Garf-
phairn,

1666. *phairn*, who was noways concerned, he was obliged to crave redress, which was granted.

The same day, the council desired the archbishops to order the bishops in their respective sees to oblige all the ministers in their several dioceses to give in a list of the names of ejected ministers, with the places of their residence, and in what manner any of them have transgressed against the act of August 13th, 1663 *.

* p. 151.

Case of
the pri-
soners.

But to come to the case of the prisoners taken at this time. The victory was celebrated with almost as many guns from the castle, as there were men slain in the field. The prisoners, about fifty in number, who were taken in the action, were brought in by the soldiers to *Edinburgh*, and the country people brought in about thirty more. These were all crowded together in a place near the *Tolbooth*, called *Haddow's-hole*, now one of the churches of the city. When that worthy old minister Mr. *Arthur Murray*, who lived in the suburbs, opened his window, and saw *Dalziel's* army marching with their banners displayed, and heard the shouts of the soldiers triumphing over the prisoners, he was so impressed with grief, that he took his bed immediately, and died in about two days after.

Sharp's
cruelty.
p. 236.

Bishop *Burnet* says, 'That the best of the *episcopal* clergy set upon the *bishops* to lay hold on this opportunity for regaining the affections of the country, by becoming intercessors for the prisoners, and the country, that was like to be quartered upon and eaten up for the favour they expressed to them; and that many of the bishops went in to this, particularly that *Wisheart* bishop of *Edinburgh* shewed a very christian disposition at this time, by sending every day very liberal supplies to the prisoners, which was likeways done by almost the whole town.—But *Sharp*, says *Burnet*, could not be mollified; on the contrary, he encouraged the ministers in the disaffected counties to bring in all the informations they could gather against the prisoners, and all who had been among them, that they might be sought for and proceeded against.—And that the ministers, in these parts, acted so unbecoming a part, that the aversion of the country to them was increased to all possible degrees. They looked on them as *wolves* and not as *shepherds*.' There is one thing more that my author asserts, upon good information, viz. that, after several of the prisoners were condemned, and a few executed,

a let-

a letter came down from the king discharging the taking any more lives. This letter came to *Sharp* as president of the council, who kept it up till as many as he had a mind should die. Bishop *Burnet* says, that Mr. *MacKail's* death, of which we shall hear, was the more cried out on, because it came to be known afterwards, that archbishop *Burnet* of *Glasgow*, who had come down before his execution, had brought with him a letter from the king, in which he approved of all that they had done; but added, that he thought there was blood enough shed, and therefore ordered that such of the prisoners as should promise to obey the laws for the future should be set at liberty, and that the incorrigible should be sent to the plantations. Notwithstanding *Burnet* let the execution go on, before he produced his letter. But I am apt to believe, if *Burnet* brought this letter from the king, he delivered it into the hands of *Shurp*, who wickedly and basely concealed it: But, however this was, it appears the king was more humane than the bishops.

On the same 4th of *December* the council ordered the king's advocate to prosecute eleven of the prisoners for high-treason, viz. Major *John MacCulloch*, captain *Andrew Arnot* brother to the laird of *Lochridge*, *Thomas Paterfon* merchant in *Glasgow*, *John Gordon* of *Knockbreck* and his brother *Robert*, *John Parker* in *Busbie*, *Gavin Hamilton*, *James Hamilton* in *Kilmuir*, *John Ross* in *Mauchlin*, *John Shields* in *Titwood*, and *Christopher Strang*. They likewise appointed Sir *John Hume* of *Renton* justice-clerk, and Mr. *William Murray* advocate, justice-depute, to be their judges, and allowed four advocates to plead for them. On the same day the judges sat down, for form's sake heard the advocates plead a little, and very quickly pronounced sentence, that they should be all hanged at the market-cross on Friday the 7th of *December*; their heads and right-arms to be cut off, and disposed of as the council should see fit. The council, the day before the execution, met, and ordered that the heads of major *MacCulloch*, *John* and *Robert Gordons* be set up at *Kirkcudbright*, *John Parker*, *Gavin* and *James Hamiltons*, and *Christopher Strang*, at *Hamilton*, *John Ross* and *John Shields* at *Kilmarnock*, and captain *Arnot's* at the water-gate; and the right-hands of the above mentioned persons were ordered to be affixed on the publick ports of the town of *Lanark*.

The condemnation of eleven of the prisoners.

1666. *nerk, being the place where they took the covenant. Thomas Paterson* received sentence of death along with the rest, but his dying of his wounds prevented the execution. The curious reader may see the whole process against these excellent persons in Mr. *Wodrow's* appendix to book 2d, Vol. I. No. 9.

Ten executed.

These ten were accordingly executed on the 7th of December. Bishop Burnet says true, *That it was a moving sight to see ten of the prisoners hanged upon one gibbet at Edinburgh, especially if we consider that they were taken upon quarter and solemn parole to have their lives spared, as was argued at their trial. In their joint testimony, which, together with the dying speeches of some of them, are in Naphtali, they say, 'We are 'condemned by men, and esteemed by many as rebels 'against the king, whose authority we acknowledge. 'But this is our rejoicing, the testimony of our conscience, that we suffer not as evil-doers, but for righteousness, for the word of God and the testimony of 'Jesus Christ, and particularly for our renewing the 'covenant, and, in pursuance thereof, for preserving 'and defending of ourselves by arms against the usurpation and insupportable tyranny of the prelates, &c.'* It is said that when *Knockbreck* and his brother were turned off the ladder, they clasped one another in their arms, and thus endured the pangs of death.

Their heads and right-arms were disposed of according to the above order of council. The heads of *John Parker, Gavin and James Hamiltons, and Christopher Strang,* were afterwards buried in the church-yard of *Hamilton*, and a grave-stone was put on them, with an inscription recorded in the cloud of witnesses.

Sufferings of some of their families.

Great were the hardships which some of the families of these martyrs were brought to; for instance, major *MacCulloch*, before *Pentland*, had several soldiers quartered upon him for thirty days, and, besides their entertainment, had eight pence a-day to pay to each of them, over and above 100 L. of fine to Sir *James Turner*. He paid likewise his whole parliamentary fine 1665. consisting of 1200 merks, together with 300 merks of riding-money to the soldiers who exacted it. His estate lay under forfeiture from *Pentland* to the revolution. After *Pentland*, one *Charles Campbell*, without any warrant, seized a horse and cloaths from his son *William*, who was not in the least concerned in the rising

rising, to the value of 13. *L. sterling*. His eldest son was kept a whole year in prison after his father's execution, only because he was his son. And in the year 1681. his lady had those lands forfeited in which she was happily infest when her husband suffered. 1666.

The harrassings and losses of the family of *Gordon of Knockbreck* cannot be expressed; for besides their parliamentary fine, and their common losses with others in *Galloway* by *Sir James Turner*, in a little after *Pentland* their whole crop for that year was seized, and their household-furniture disposed of and destroyed; six soldiers were quartered upon the house from the 6th of *March* to the 9th of *July*; near 400 *l.* of cess and other impositions were levied from them and their tenants. In 1684. captain *Strachan* and his troop seized upon and destroyed their whole household-furniture; next year *Glenlyon*, with near 200 *Highlanders*, stayed at *Knockbreck* from *Thursday* to *Monday*, consumed and took along with them all the victual they could find, broke the windows, and took the horses to bear away the spoil; and, last of all, cruel *Lagg* came with a party, plundered the house, and was with difficulty prevented from setting it on fire. From these the reader may form a judgment of the calamities that beset the families of those who suffered at this time.

The last execution being over, other five of the prisoners were prosecuted for high-treason, and condemned to be hanged at the cross of *Edinburgh* on the 14th of *December*. The judges did not, it seems, now give themselves the trouble of hearing advocates, but made shorter work, and went upon their own confession: And the council, being weary of disposing heads and arms, ordered the magistrates of *Edinburgh* to fix their heads where they thought fit, and to bury their bodies in the common place. Their names are as follow, viz. Mr. *Alexander Robertson* preacher of the gospel, (who was betrayed by his friend the laird of *Mortoun*, to whom he surrendred upon promise of his life, and whom he expressly forgave at his death) *John Neilson* of *Corsack*, *George Crawford* in *Cumnock*, *John Gordon* in the parish of *Irongray*, and *John Lindsay* in *Edinburgh*: The last named was respited, but the rest were all executed at the time and place appointed. The speeches of the first three are in *Naphtali*, where, with their last breath, they refused that their rising was rebellion; they all acknowledged

1666. ledged the king's just authority; particularly *George Crawford* said, 'That which moved me to come along with these men, was their persuasion and my desire to help them, (which, with a safe conscience, I could not well refuse) who, being tyrannically oppressed by the prelates and their dependents and upholders, and seeing no other way was left to be taken, took up arms for their own defence. And if this be *rebellion*, I leave it to the great God the supreme judge to decern; for, in my weak judgment, I found it warrantable from the word of God, and without prejudice of the king's authority, (which I pray God to direct and guide in the right ways of the Lord, and to make him prosper therein, so that he may be surely set in his kingdom, having him whom no enemy can resist to defend him) seeing there was nothing intended by us against his or any others just and lawful authority, &c.' He was so pleased to die, that he pressed to be up the ladder, and, when upon the top of it, triumphed in Christ.

The peculiar sufferings of John Neilson of Corsock and his family.

John Neilson of Corsock, a gentleman of excellent parts, was singled out to greater sufferings than any of his fellow-sufferers. When *Sir James Turner* came first into *Galloway*, *Mr. Dalgliesh* the curate of *Partan* delated *Corsock* for non-conformity; whereupon *Sir James* exacted 400 *l. Scots* from him, and, contrary to promise, sent him prisoner to *Kirkcudbright*. After this, by the quartering of soldiers, which *Sir James* sent upon him, he sustained the loss of above 1993 *l. Scots*. By these hardships he was obliged to leave his house, and wander from place to place. During his wandering he lost his horse worth 100 *l.* was himself apprehended, and for some time kept a prisoner. When they had turned his lady and children to the doors, they next fell upon his tenants, obliging them to bring in sheep, lambs, meal and malt to them, till they were almost all ruined. And, last of all, they drove all his oxen and black cattle to *Glasgow*, and sold them; and all this for nothing but non-conformity. Was it then any wonder that he, and many others in the like circumstances, embraced the first opportunity to complain of, and relieve themselves, if possible, from such dreadful oppressions? But while attempting this he was taken at *Pentland*, and carried prisoner to *Edinburgh*. *Sir James Turner* used his interest to get his life spared, because *Corsock* saved *Sir James*, when some moved to have him cut off, though

none

none suffered more from Sir *James* than this good man. 1666. But the bishops, at the desire of *Dalglish* the curate, prevailed above all the interest Sir *James* could make.

On the 4th of *December* the council ordered him and Mr. *Hugh MacKail* to be tortured with the boots, (for they put a pair of iron boots close on the leg, and drove wedges between these and the leg, until the marrow came out of the bone.) What moved the council to pitch upon these two is not known. A conspiracy was pretended, and by this torture they were examined, in order to force them to make some discoveries. *Corsack* was dreadfully tormented, so that his shrieks would have melted the hearts of any except those present, who were so far from being moved, that they still called for the other touch. These were the times of *prelacy*!

His lady being in *Edinburgh*, after his death, *Maxwel* of *Miltoun* came to the house of *Corsack* with 30 men, took away every thing they could, and destroyed the rest: Nay, they turned the family, in which was a nurse with a sucking child, to the open fields. Some time after this Sir *William Bannantyne* came and took an inventory of every thing that was in the house, seized that years crop, and arrested the rents in the tenants hands. And because *Arthur McGachie* in *Glenhead*, one of his tenants, had conversed with him a day or two before *Pentland*, he, his wife and a young child, were carried off prisoners, and kept some weeks. Amongst other hardships lady *Corsack* had all her moveables seized, merely for conversing with her own son, who had been intercommuned or outlawed, and paid near 100 *l*. This family endured many other oppressions which I cannot insert here. And therefore I go on to the proceedings against the other prisoners.

On the 5th of *December* a commission was given to duke *Hamilton*, the marquis of *Montrose*, the earls of *Argyll*, *Linlithgow*, *Kelly*, *Galloway*, *Wigtoun*, *Nithsdale*, *Dumfries*, *Callender*, *Airly*, *Annandale*, the lords *Montgomery* and *Drumlanerk*, the master of *Cochran*, general *Dalziel*, lieutenant-general *Drummond*, *James Crichton* brother to the earl of *Dumfries*, colonel *James Montgomery*, *Charles Maitland* of *Haltoun*, and *Mungo Murray*, or any three of them, with justiciary power to go to any shire, burgh or place, where there was any rising or insurrection, and there to hold courts, cite parties and examine witnesses, and take all other courses which they shall think fit, for trying and discovering all such persons

1666. sons as were authors, aiders, or abettors of the rebellion, &c.

Execution at Glasgow. Accordingly, on the 17th of *December*, the earls of *Linlithgow* and *Wigtoun*, the lord *Montgomery* and *Mungo Murray*, having constituted themselves in a court at *Glasgow*, found *Robert Buntine* in *Fenwick* parish, *John Hart* in the parish of *Glasford*, *Robert Scott* in *Dalserf*, and *Matthew Paton* shoe-maker in *Newmills*, guilty of rebellion and treason, and condemned them to be executed at *Glasgow* the 19th of *December*. They behaved in a becoming christian way, had great peace of conscience, and died with much joy and comfort.

Drums beat at executions.

It was here that vile practice was begun, which turned afterwards common, of *beating drums* when the sufferers began to speak to the spectators. A plain evidence of an ill cause, which cannot bear to see the light. The persecutors were afraid lest the last words of these dying martyrs should make deep impression on the hearers, and confirm the faith of those who were well affected to liberty and religion; and indeed, such was the christian and manly behaviour of these noble sufferers, that few were terrified by their death, and many were convinced of the goodness of their cause, and fixed in their resolutions to adhere to it.

More condemned and executed at Edinburgh.

Upon the 18th of *December* the justice-clerk and justice-depute condemned Mr. *Hugh MacKail*, *Thomas Lennox*, *Humphrey Colquhoun*, *Ralph Shields* an Englishman, clothier in *Ayr*, *William Pedin* merchant there, *John Wodrow* merchant in *Glasgow*, *Robert MacMillan*, *John Wilson* in the parish of *Kilmawers*, and *Mungo Kaipo* in *Evandale*, to be hanged at the cross of *Edinburgh* on the 22d of *December*. Three of these, viz. *Robert MacMillan*, *William Pedin* and *Thomas Lennox*, together with *John Lindsay* formerly respited, got off, either on account of their making some partial compliances, or perhaps the reason was the king's letter formerly mentioned, wherein he declared *he would have no more lives taken*; the rest were all executed, and died with christian resolution and courage.

Their behaviour.

John Wodrow.

John Wodrow merchant in *Glasgow*, in his testimony and letter to his wife, was observed to exceed one of his education and circumstances; the reader will find both in *Naphtali*; he concludes his letter to his wife in these words. 'And now I give you and my four children unto the Lord, and commit you to him as your covenantant'

' nanted God and husband, and my children's covenant-
 ' ed father. I say no more, but either study to be in-
 ' deed a sincere christian, and a seeker of his face in sin-
 ' cerity, or else you will be nothing at all. I recom-
 ' mend you and your young ones to him, who is God
 ' all-sufficient, and aboundeth in mercy and love to
 ' them that love him and keep his covenant. The bles-
 ' sing of the covenant be upon you; so fare you well.
 ' So saith your loving and dying husband, &c.' *Humphrey Hum.*
Colquhoun spoke not like an ordinary townsman, but like *phrey*
 one in the suburbs of heaven, related his christian ex- *Col-*
 periences, called for his bible from one of his friends, *quhon.*
 laid it on his wounded arm, and spoke to the admirati-
 on of all that heard him. *John Wilson* began his speech *John*
 with these remarkable words, ' Good people and specta- *Wilson.*
 ' tors, I am here condemned to die upon alledged rebel-
 ' lion against the king and his authority, which God
 ' knoweth I never intended; for, in my judgment, a
 ' man's endeavouring to extirpate perjured prelates and
 ' abjured prelacy, according as he is bound by oath in a
 ' sworn covenant, may very well stand with a man's loy-
 ' alty to king and country; for I am sure the king
 ' and his subjects may be happy, yea, more happy, in
 ' the extirpation of prelates and prelacy, than in their
 ' standing; yea, the throne shall never be established in
 ' peace, until that wicked plant be plucked up by the roots,
 ' which hath so much wasted and made desolate the Lord's
 ' vineyard. For my part, I pray that the Lord may
 ' bless our king with blessings from heaven, and make him
 ' a friend to the interest of Christ, as the best way for
 ' the standing of his throne to many generations: And
 ' I pray for all that are in authority under his majesty,
 ' that the Lord may not lay to their charge the inno-
 ' cent blood of his saints, which they have shed, &c.'
 There was likewise something very moving and affecting
 in the last testimony of *Ralph Shields* on this occasion, in *Ralph*
 which he not only declared his respect for authority, as *Shields.*
 the ordinance of God, appointed for the punishment of
 evil doers, and his sincere wishes for his majesty's wel-
 fare, but likewise the encouragement he had in suffering
 at this time for the cause of Christ; and speaking con-
 cerning his native country, for which he could not but
 have a real affection, he expressed himself thus: ' O
 ' that it were the happiness of my nation of *England*,
 ' once to subject themselves to the sweet yoke of Christ's
 reforme

1666!

1666. *reformed government, under which this nation of Scotland hath enjoyed so much of the power and life of the gospel, by a faithful ministry according to the covenant sworn by them both, &c.*

Mr. Mac-Kail's sufferings. He is licensed. But as the circumstances of Mr. MacKail's sufferings at this time are more singular, I must be excused for giving the particular relation thereof recorded in *Naphtali*. Mr. Hugh MacKail having finished his studies at the university of *Edinburgh*, and under the care of his uncle of the same name, was licensed by the presbytery of *Edinburgh* 1661. being then twenty years of age. He was sometime chaplain to Sir James Stewart of *Kirk-*

* p. 134. *field* *. All his publick performances met with universal acceptance, until the 21st of September 1662. when he preached his last publick sermon in the great church of *Edinburgh*, from *Song* i. 7. in which, speaking of the many and great persecutions that had befallen the church, he said, among other things, *That the church and people of God had been persecuted by a Pharaoh upon the throne, a Haman in the state, and a Judas in the church.* And though he made no application, yet the cases of *Haman* and *Judas* appeared, to the conviction of his adversaries, to have such a resemblance to the condition of the rulers of the state and church at that time, particularly of *Lauderdale* and *Sharp*, that a few days after a party of horse was sent to apprehend him, but he happily escaped, retired to his father's house, and soon after went abroad, where he accomplished himself in his studies for a few years.

His last publick sermon. Goes a-broad. Joins the people in the west. When he came home he was the more qualified to be the object of the prelates spite and malice. At last he occasionally joined those who rose in arms in *Gal-loway*, and continued among them a little time, till Tuesday the 27th of November, when, not being able to endure the fatigues of constant marching, he left them near the new bridge upon *Grammond* water, and was taken by some countrymen as he was passing through a place called *Braid's Crags*.

Is taken. Imprisoned. When he was brought to *Edinburgh*, he was carried first to the council-house, and, after being searched for letters, and none being found, was committed to the tolbooth.

Examined. Next day, by order of council, he was examined before the earl of *Dumfries*, lord *Sinclair*, Sir Robert Murray of *Priestfield*, and others; but he waved the question,

question, and refused to sign any thing they wrote, because he conceived he was not obliged to be his own accuser. On the 29th he gave in a declaration under his own hand, testifying that he had been with the *west-land* forces, with whom he occasionally met, and that he resolved to have withdrawn from them upon the first opportunity, which he was about to do when he was taken, without either offering to flee or resist, which he desired the council the rather to believe, because he had told so much to *William Lawrie* of *Blackwood*; but though *Blackwood* owned this to be truth, yet the council, suspecting *Mr. MacKail* to have been a contriver of the insurrection, and privy to all their designs, importuned him to be ingenuous in declaring who were the ringleaders of their late rising, and what correspondence they had either at home or abroad. And, in order to extort such a confession, on *Monday* the 3d of *December* the boots were laid before him on the council-table, and they gave him to know, that if he did not confess he should be tortured with them to-morrow.

Accordingly, on *Tuesday* *December* the 4th, he was again brought before the council, and, after the torture of *John Neilson* of *Corsock*, of which we have heard, he was again examined by the earl of *Roths*, the marquis of *Montrose*, and several others; and, being urged to confess, he solemnly declared that he knew no more than he had already confessed; whereupon they ordered the executioner to put his leg into the boot, and proceed to the torture. He received ten or eleven strokes, with considerable intervals, to the extraordinary compression of flesh, sinews and bones, all which he endured with a most *christian* patience. Before he got the last three strokes, he protested solemnly, in the sight of God, that he could say no more, though all the joints of his body were in as great torture as that *poor leg*.

On the 10th of *December* he and other seven received their indictments of treason, and were summoned to appear before the justices on the 12th. But, his torture and close imprisonment having thrown him into a fever, he was not able to make his appearance, and therefore on *December* 11th he gave in a petition to the lords of council, begging a respite, since he was neither able to walk nor stand, and seeing his accession to the crimes with which he was charged was so very slender,

1666

Tortured.

Received
his indictment.

1666. slender, being only simple presence; and that too but occasional, which was mitigated by his purposed and actual coming off from them. Together with his petition there was presented an attestation under the hands of seven surgeons, declaring his weak and sickly condition: Whereupon the council ordered two physicians and two surgeons, viz. Sir Robert Cuninghame, doctor Hay, James Borthwick and Thomas Kincaid, to visit him, and return their attestation, upon soul and conscience, to the justices, by 10 o'clock next day. They were also to give in their attestation concerning other three indicted with him.

But as their attestation did not bear *soul and conscience*, and the physicians refusing to rectify it in these terms, though they declared they could confirm the truth of it by their oath, the justices postponed their proceedings against Mr. MacKail and the other two, but appointed John Neilson of Corfack, though also contained in the attestation, with other four, to be brought to the bar, when they were condemned to be hanged on the

p. 201. Friday following *.

Brought to
the bar.

Mr. MacKail was brought before the justices on the 18th, with the other three who were arraigned with him; and being permitted to speak after the indictment was read, he declared, among other things, that he was not ashamed to avow that he was one of that afflicted and persecuted party and persuasion called *presbyterian*. Then he spoke of the ties and engagements that were upon the land to God; and having commended the institution, dignity and blessing of *presbyterian* government, he said, that the last words of the *national covenant* had always great weight upon his spirit. Whereupon the king's advocate interrupted him, and desired he would forbear that discourse, since he was not called in question for his persuasion, but for the crime of *rebellion*, in rising in arms against his majesty's authority. To this Mr. MacKail replied, that he was moved to speak in the manner he had done, from that weighty and important saying of our Lord Jesus, *Whosoever shall confess me before men, him shall the Son of man confess before the angels of God; but he that denieth me and my words before men, shall be denied before the angels of God.* As for *rebellion*, he said his accession was only simple presence with a sword, and that occasional. The advocate replied, that not only presence, such as he was charged

ged

ged with, was treasonable, but all intercommuning or keeping company with rebels, though for half an hour only. 1666.

Though they could prove no more against him than what he had owned, yet the jury brought him in guilty, and he was condemned to be hanged at the market-cross of Edinburgh, December 22d, with several others. *Sentenced to die.*

* When he received his sentence, he cheerfully said, *The Lord giveth life, and the Lord taketh, blessed be the name of the Lord.* And, as he was carried back to the tolbooth, he said to the lamenting people, *Though men cut us off, God will receive us; trust in God, trust in God.* * P. 204.

Being returned to prison he immediately spent some time in prayer, for himself and those condemned with him, with great fervency and enlargement. Being afterwards asked how his leg was that had been tortured, he answered, with chearfulness, *The fear of my neck now maketh me forget my leg.* After that he said to another friend, *O how good news, to be within four days journey to enjoy the sight of Jesus Christ!* And protested he was not so cumbered how to die, as he had been sometimes to preach a sermon. His father got liberty to see him, and their meeting was very affecting. *His behaviour in prison.*

On the 20th of December, to satisfy the importunity of his friends, he gave in to the privy-council the following petition.

‘ That whereas, upon Tuesday last, I was indicted and condemned for the treasonable deeds contained in the general and special indictment exhibited against me; in the which special indictment, containing my whole accession to the said crimes, there is only libelled presence in several places, with an ordinary sword, likeas my own confession, which is the naked truth, doth declare how the same was occasional; and seeing that it was also in some sort purged and retracted, by my withdrawing and deserting with the first conveniency, whereby not only my case appears to be different from that of others, but also as favourable as possibly can be, next to innocence itself, as appeared to many of those gentlemen who were upon my assize; and, seeing the torture I sustained, and the ingenuity I then used, as in the sight of God, to the utmost of my knowledge, deserve that favour that was at that time insinuated: And that it is expected that his majesty, *whose mercy I beg*, according to his great clemency, and the most usual practice

1666. ' in the like cases, will interpose his mercy for the re-
 ' scue of many who are equally with me involved; May
 ' it therefore please your lordships, graciously to consi-
 ' der the premises, *and to pardon my great rashness and*
 ' *precipitancy*, and therefore to indulge such a reprimand
 ' as your lordships shall think convenient, until his ma-
 ' jesty's gracious pleasure anent the premises shall be
 ' fully known, at least till the commissioner's grace do
 ' return. And your, &c.

N. B. The words in *italick* characters were inserted without his knowledge, when the petition was transcribed by his friends: However, the petition was rejected, and all the interest made was to no effect.

The last night of his life, being *Friday December* the 21st, he proposed and answered some questions. As, I. ' How should he, going from the tolbooth through
 ' a multitude of gazing people and guards of soldiers
 ' to a scaffold and gibbet, overcome the impresson of
 ' all these?' To which he answered. 1. By conceiving a deeper impresson of a multitude of angels
 ' who are also onlookers; according to that, *we are a*
 ' *gazing-stock to the world, angels and men*; for the an-
 ' gels, rejoicing at our good confession, are present to
 ' convey and carry our souls, as the soul of *Lazarus*,
 ' into *Abraham's bosom*, *not to receive them*, for that is
 ' Jesus Christ's work alone, who will welcome them to
 ' heaven himself, with the songs of angels and blessed
 ' spirits: 'But the angels are ministring spirits, always
 ' ready to serve and strengthen all dying believers. 2.
 ' As *Stephen* saw the heavens opened, and Jesus stand-
 ' ing at the right-hand of God, who then said, *Lord*
 ' *Jesus receive my spirit*, so, said he, do I believe, that
 ' Jesus Christ is also ready to receive his dying suffer-
 ' ers.' II. He enquired, ' What is the way for us
 ' to conceive of heaven, who are hastening to it, since
 ' the word says, *Eye hath not seen, nor ear heard, &c.*'
 ' To this he answered. ' The scripture helps us these
 ' two ways. 1. By way of similitude, as *Rev. xxi.* when
 ' heaven is held forth by a representation of a glori-
 ' ous city there described; but in the same place it is
 ' also termed the bride. But O how unlike are these two,
 ' a bride and a city? Which shews the insufficiency and
 ' vast disproportion of all such similitudes. And there-
 ' fore he added, 2. ' That the scripture furnisheth
 ' yet a more excellent way to conceive of heaven, *viz.*
 by

' byconceiving the love of Christ to us, even the breadth
 ' and length, the depth, height and immenseness of that
 ' love of Christ, which passeth knowledge, and which
 ' is also the highest and sweetest motive of praise unto
 ' him that loved us, &c. and by holding forth the love
 ' of the saints to Christ, and teaching us to love him
 ' in sincerity, which is the very joy and exultation
 ' of heaven, *Rev. v. 12. Worthy is the lamb, that was*
 ' *slain, to receive power, and riches, and wisdom, and*
 ' *strength, and honour, and glory, and blessing.* And no
 ' other thing but the soul breathing forth love to Je-
 ' sus Christ can rightly apprehend the joys of hea-
 ' ven.'

1666.

He went to bed a little after eleven, and, rising a-
 bout five in the morning, he called his companion *John*
Wodrow, and said pleasantly, *Up, John; you are too long*
in bed; you and I look not like men going this day to be
hanged, since we ly so long. He spent his time most com-
 fortably in prayer and edifying discourse. His father
 coming to him that morning, his last words, after pray-
 er and a little talk, were, ' That his sufferings would do
 ' more hurt to the *prelates*, and would be more edify-
 ' ing to God's people, than if he were to continue in
 ' the ministry for 20 years.' And then he desired his
 father to leave him, else he would trouble him. And,
 said he, *I desire it of you, as the best and last service, to*
go to your chamber, and pray earnestly to the Lord to be
with me on that scaffold: For how to carry there is my
care, even that I may be strengthened to endure to the end.

About two o'clock he and his five fellow-sufferers
 were carried to the scaffold; his countenance was most
 pleasant and serene. When at the foot of the ladder
 he directed his speech northward to the multitude, who
 heard him with great attention. His speech is printed
 in *Naphtali*, in which, among other things, he said,
 that he heartily acknowledged his fainting in the day of
 trial, and in endeavouring to conceal his joining with
 those who rose in arms in their own defence; and far-
 ther expressed himself, ' Although I be judged and con-
 ' demned as a *rebel* amongst men, yet I hope, even in
 ' order to this action, to be accepted as loyal before
 ' God. Nay, there can be no greater act of loyalty
 ' to the king, as the times now go, than for every
 ' man to do his utmost for the extirpation of that a-
 ' bominable plant *prelacy*, which is the bane of the
 throne

His beha-
 viour at
 his execu-
 tion.

1666. *W* throne and of the country, which, if it be not done, the throne shall never be established in righteousness, until *these* wicked be removed from before it. Sure I am *these*, who are now condemned as rebels against him, by *them*, are such as have spent much time in prayer for him, and do more sincerely wish his standing, and have endeavoured it more by *this late action*, so much condemned, than the *prelates* by condemning them to death.

Having done speaking to the people, he sung a part of *Psalm xxxi.* and then prayed with such power and fervency, as drew tears from many. When taking hold of the ladder to go up, he said, with a loud voice, *I care no more to go up this ladder, and over it, than if I were going home to my father's house.* And hearing a noise among the people, as he was going up, he called down to his fellow-sufferers, saying, *Friends and fellow-sufferers, every step of this ladder is a degree nearer heaven.* Then, having seated himself upon it, he said, *I do partly believe, that the nobles, counsellors and rulers of the land, would have used some mitigation of this punishment, had they not been instigated by the prelates, so our blood lyes principally at the prelates door. But this is my comfort now, that I know my Redeemer liveth, and that he shall stand at, &c.* And now I willingly lay down my life for the truth and cause of God, the COVENANTS and work of reformation, which were once counted the glory of this nation; and it was for endeavouring to defend this, and to extirpate that bitter root of prelacy, that I embrace this rope (the executioner putting the rope about his neck.) Then hearing the people weep, he said, *Your work is not to weep, but to pray, that we may be honourably born through, and blessed be the Lord that supports me.* —

And that you may know the ground of my encouragement in this work, and what my hope is, I will read the last chapter of the bible. Which having done, he said, *Here you see the glory that is to be revealed upon me; a pure river of water of life, &c. where the throne of God is and the lamb is in it, where his servants serve him, and see his face, and his name is in their foreheads, and the Lord God giveth them light, and they shall reign for ever and ever; and here you see my access to my glory and reward. Let him that is a-thirst come; and whosoever will let him take of the water of life freely.* And here you see also my welcome, *The*
spirit

† spirit and the bride say, *Come.* Then he said, 'I have 1666.
 † one word more to say to my friends, (*looking down to*
 † *the scaffold*) Where are you? You need neither la-
 † ment me, nor be ashamed of me in this condition; for
 † I may make use of that expression of Christ, *I go to*
 † *your father and my father, to your God and my God, to*
 † *your king and my king, to the blessed apostles and*
 † *martyrs, and to the city of the living God, the heaven-*
 † *ly Jerusalem, to an innumerable company of angels,*
 † *to the general assembly and church of the first-born,*
 † *and to God the judge of all, and to the spirits of just*
 † *men made perfect, and to Jesus the mediator of the*
 † *new covenant.* And so I bid you all *farewell*, for
 † God will be more comfortable to you than I could be,
 † and he will also now be more refreshing to me than
 † you can be: *Farewell, farewell in the Lord.* Then,
 the napkin being put over his face, he prayed a little
 within himself; after which he put up the clqath, saying
 he had one word more to say, in order to shew them the
 comfort he had in his death. And thus he said, 'I hope
 † you perceived no alteration or discouragement in my
 † countenance and carriage; and as it may be your won-
 † der, so I profess it is a wonder to myself; but I will tell
 † you the reason of it. Besides the justness of my cause,
 † this is my comfort, which was said of *Lazarus* when he
 † died, that the angels did carry his soul into *Abraham's*
 † bosom; so that, as there is a great solemnity here, of a
 † confluence of people, a scaffold, a gallows, and people
 † looking out at windows; so there is a greater and more
 † solemn preparation in heaven, of angels to carry my
 † soul to Christ's bosom.' And, after speaking a little
 to the same purpose, he concludes thus; 'And now I
 † leave off to speak any more to creatures, and turn my
 † speech to thee, O Lord! And now I begin my inter-
 † course with God, which shall never be broken off.
 † *Farewell* father and mother, friends and relations;
 † *farewell* the world and all delights; *farewell* meat and
 † drink; *farewell* sun, moon and stars: *Welcome* God
 † and father; *welcome* sweet JESUS the mediator of the
 † new covenant; *welcome* blessed spirit of grace and God
 of all consolation; *welcome* glory, *welcome* eternal life,
 † *welcome* death.' Then he desired the executioner not to
 turn him over till he should put his own shoulders over
 first, which within a little he did, saying, 'O Lord, in-

1666. 'to thy hands I commit my spirit; for thou hast re-
deemed my soul, Lord God of truth.'

History of
the Stu-
arts,
F. 541.

I cannot but here insert a paragraph of an *English* historian, in which he says, Were the compleat historians sensible of the *pathetick* and *sublime* in eloquence, they would own there is nothing like it (*viz.* the last words of this martyr, from *farewell*, &c.) in whatever they have seen of antiquity; and, it being a suffering minister's dying words, adds a truth to the beauty, which cannot be met with in profane learning. This, adds he, is one of the *covenant-martyrs*, which the *Scots* curates gave over to damnation, tho' I doubt not every good christian, after reading the divine exultation of Mr. *MacKail*, will be ready to say to them, 'Be my portion with this good man, and take ye your lot with one another.'

His character.

Thus died Mr. *Hugh MacKail*, a youth of about 26 years of age, singularly pious, and of no small share of learning. He had seen the world. Never was a death more lamented; for, among all the spectators, there was scarcely an eye that did not run down with tears. It is said that he used to fast one day in the week, and had frequently before this signified to his friends the impressions he had of his dying in this manner. His share in the rising was known to be small. And, when he spoke of his comfort and joy in death, heavy were the groans of those who were present.

The commissioner's progress.

Lord *Rothes* the commissioner, being come from court, resolved upon a progress through the west and south, that he might come at the bottom of some imaginary conspiracy and plot; but no discoveries could be made. He came first to *Glasgow*, and from thence to the town of *Ayr*, with a committee of noblemen and others, who were vested with a justiciary power.

Twelve more condemned.

Accordingly the earl of *Kelly*, lieutenant-general *Drummond*, *Charles Maitland* of *Haltoun*, and *James Crichton* brother to the earl of *Dumfries*, sat down in judgment at *Ayr* on the 24th of *December*, two days after the execution of Mr. *MacKail*. Twelve more of the prisoners were brought before them, who were found guilty of treason, and ordered to be executed at *Ayr*, *Inverness* and *Dumfries*.

Seven hanged at Ayr.

Thursday the 27th of *December* was appointed for the execution of *James Smith*, *Alexander MacMillan*, *James MacMillan*, *George MacCartney*, *John Short*, *John Graham*,

ham, John Muirhead and Cornelius Anderson, at the town of Ayr. But the executioner, being unwilling to embroil his hands in the blood of these men, got out of the way. And the provost, not being able to find one that would undertake the hateful work, proposed that one of the eight should have his life on condition of executing the other seven. Accordingly, in the morning, the magistrates went to prison and laid the proposal before the prisoners. Upon which Cornelius Anderson said, if the rest would forgive him he would do it. They answered, if he did it, they should wish him repentance and forgiveness. He was kept intoxicated till the execution was over. When he came off the gibbet, the boys and others stoned him out of the town. His conscience after this troubled him, every one shunned him, at last he retired to Ireland, where he built a little house in some common place near Dublin, and there his house and he were afterwards burnt to ashes.

James Blackwood and John MacCoul were executed at Irvine on the 31st of December. Some of these sufferers were ignorant, and very much discouraged at the near views of eternity; but, by the pains taken by the minister Mr. Nisbet, who visited them, they died full of joy and courage, to the admiration of all who were present. John Grier and William Welsh, the remaining pair of those condemned at Ayr, were executed at Dumfries on Wednesday the 2d of January 1667. And thus, from the 7th of December to the 2d of January, were no less than 34 executed out of 40.

The steadiness of William Sutherland, executioner at Irvine, is too remarkable not to be recorded here; for, when the executioner at Ayr deserted, nothing could prevail with him to supply his place.

He came of poor parents in Strathnaver, the wildest part of the north Highlands, and had no education till after he came to be executioner at Irvine, and then with difficulty he learned to read English, and took great delight in his bible; and the more he became acquainted with it, the more he began to scruple to execute any, unless he was clear they deserved to die. When he was pressed to go to Ayr his scruples increased, because he had heard the prisoners were godly men, persecuted by the BISHOPS, whom, says he, I never liked since I loved my bible. These words, Heb. iv. 12. made great impression

P. Walker of Semple. p. 133.

Four at Irvine and Dumfries.

Behaviour of the hangman at Irvine. See his own declaration. Wodrow, V. I. B. 2. N. XI.

1666. lion upon him, so that he was resolved not to have a hand in that execution.

Forced to Ayr. He was brought from the church before the provost of Irvine, and, refusing to go to Ayr, was put in prison till Monday night, when a serjeant with six soldiers came from thence to fetch him; but, still persisting in his refusal, he was remanded to prison till next morning, when they forced him to go. And, being then brought before the provost of Ayr, he continued resolute to have no hand in executing the prisoners, notwithstanding all the promises that were made him; so that he was committed again to prison.

Baffles the curate. Upon this one Mr. White, a curate, came to persuade him to do his office, saying, Don't you know that these men are guilty of rebellion? And that rebellion is as the sin of witchcraft? To which he answered, That the rebellion spoke of there was Saul's rebellion against the immediate command and revealed will of God. In short, he so baffled the curate, that, instead of answering him, he said, Away with thee, the devil is in thee, and thou hast dealing with familiar spirits. To which William replied, If the devil be in me, he is an unnatural devil; for, if he was like the rest, he would bid me take as many lives as I could, that he might get many souls; but the spirit that is in me will not suffer me to take good mens lives.

His conduct before lord Kelly. He was next brought before the lord Kelly, the provost, and others; and, after they had threatned and ridiculed him, the boots were called for. Then he said, You may bring the boots and spurs too; you shall not prevail. They therefore threatned to pour a cruse full of melted lead upon his hands; but, when they saw how ready he was to receive it, they were astonished. Then lord Kelly tried what wheedling might do; but all proved ineffectual. And, observing what pertinent answers he gave, the lieutenant-general said, Tell me, quickly, who learned you these answers; I perceive you have got a paper from some of these rebellious ministers, and have got your answers perquire. William said, Not so, my lord; but God, that said, Fear not; when ye shall be brought before kings and rulers, for my sake, it shall be given you in that hour what you shall say. I will give thee a mouth and wisdom, that thine adversaries shall not be able to answer: He makes his promise good to me. Then several gentlemen said, Away with him; the devil is in him.

him, he has dealing with familiar spirits. To this he spoke as to the curate. Then the lieutenant-general said, Tell me, quickly, who put these words in your mouth, else you shall be hanged. To which he replied, 'Even HE who made Balaam's ass to speak and reprove the madness of the prophet; and marvel not, for he that could make a dumb ass to speak, can much more make me a reasonable creature to speak. It is he that gave me these answers, and likewise forbids me to do this; it is he and no other.' Then lord Kelly said, he thinks no better sport than to bring scripture to confound us with it, but you shall rue it when you are going to be hanged. To this he answered, If this confound you, you shall be better confounded yet; read ye never that chapter, 1 Cor. i. 26. *How that not many wise men after the flesh, not many mighty, not many noble, are called; but God hath chosen the foolish things of the world to confound the things that are mighty, &c.* Then said Kelly, take the devil out of my sight, and put him in the narrowest place of the stocks. At the same time the provost whispered him in the ear, and offered to give him 50 dollars, and suffer him afterwards to return to the Highlands. But the honest man answered with a loud voice, 'What, would you have me sell my conscience? Where can I flee from God? Remember Jonas fled from God, but the Lord found him out, and ducked him over the lugs; so shall he me if I go over the light of my conscience.'

He was put therefore in the stocks. Then four soldiers were sent, and, having charged their pieces, brought a cap to cover his face, and threatned to shoot him; but finding him so undaunted as to open his breast to receive their fire, one of them said he shall not be shot, but hanged and given to the dogs. While he was in the stocks, where he suffered much, some asked him what he thought of the bishops. His answer was, 'I truly think the bishops take more on them than Christ did, who was a better preacher than any of them; for he would not meddle with dividing the inheritance among the brethren.—He being a spiritual teacher refused to meddle with civil-law. But why will our bishops sit in parliament, and go in before earls? I am informed they sit and ride in parliament, and judge in worldly affairs; they have their coaches to ride in, but neither Christ nor his apostles had them; they are lords over God's heritage; but our Saviour says to his ministers,

1666. *The princes of the gentiles exercise dominion, but it shall not be so among you, but he that will be greatest shall be servant of all. The bishops are like the scribes and pharisees, against whom the Lord pronounced many a woe. Wo be to you scribes and pharisees, ye love the chief seats in the synagogues, so love our bishops the chief seats in parliament. — Wo be to you scribes and pharisees, for ye love to wear long robes, and to be called of men Rabbi: The bishops desire side gowns, and a man to bear up their tails too, and they think they never get their right stile, till they be called my lord, and some of them your grace: You give grace to a graceless face: They oppress the poor people to feed their own bellies; for which the Lord pronounces many a woe against them.* Then said they, *Timothy and Titus were bishops. To which he replied, they were preaching bishops, but not bishops over whole dioceses. And, as the apostle says, 1 Tim. iii. A bishop should be blameless, the husband of one wife, so I think a preaching bishop should have but one flock, &c.*

His
thoughts
of the
king.

Then they asked what he thought of the KING? He said, Would you have me speak treason? The KING is set over us all by God, and all his subjects should pray for him, and defend his person and government, and obey him in all things according to the word of God. But I wish his majesty and all kings may take good heed to the law of the Lord, &c.

Still reso-
lute.

After a good deal of conversation to this purpose, he was next threatned to be rolled up and down in a barrel filled with iron pikes; however, he was in nothing terrified by his adversaries, but continued still resolute, till at last they thought proper to let him go.

Set at li-
berty.

Whereupon lord Eglington sent for and examined him concerning what had befallen him, and said, Poor man, you did well in not doing what they would have had you. To this he replied, 'My lord, you say I have done well, whereas you persecute them from first to last; this tells me, in my experience, that you go against the light of your conscience. Wo will be to you that go against the light of your conscience.' Eglington said, Know you not that I have kept you from being hanged, and are you telling me that? William replied, *Keep me from drowning too, I will tell you the verity.* Thus they made this poor man feel the fear of death, though he escaped the pain of it.

And

And thus I have given as particular an account of *this* 1666.
 rising, and of the executions that followed upon it, as *Remarks*
 this history will admit of. It is not to be expected
 that I should offer a full vindication of this rising, and
 of those worthy and excellent persons who suffered on
 account of it, that having been frequently done by o-
 thers *, and as I shall afterwards have an opportunity
 to shew how far defensive arms are to be justified. It
 is therefore sufficient to observe, 1. That this attempt
 was no premeditated thing, but entirely accidental, oc-
 casioned by the violent oppressions of the country by the
 merciless soldiers. 2. Upon their first attempt they
 knew they had nothing to expect but all the cruelties
 their persecutors could inflict upon them; and therefore
 the law of self-preservation required them to take the best
 measures they could for their own security and defence,
 all application to the king being discharged by the laws
 then in being. 3. It is plain they had no designs a-
 gainst his majesty's person or government; all they want-
 ed was the redress of their grievances, the enjoyment
 of their liberties, and the free exercise of their religi-
 on, as is evident from their treatment of Sir *James*
Turner, when in their power, from their readily agree-
 ing to a suspension of arms, and their having, in part,
 proposed their grievances, and sent them to the council.
 4. When, in some respects, they were under terms of ac-
 commodation, they were suddenly attacked, and oblig-
 ed to resist force by force, when no indemnity was al-
 lowed them, and, when taken at the engagement, they
 got quarters and a promise of life; so that it was
 contrary to all rules to be treated as they were,
 after quarters given and taken; besides, several who
 were executed were not in the action, nor had born
 arms, but were only in company with the rest when go-
 ing through the country, and some of them were put to
 death, merely to gratify *Sharp's* revenge, contrary to the
 king's express orders, that *no more lives should be taken*.
 5. All of them owned the king's authority; so that, if
 matters be truly considered, they suffered, not so much
 for their rising in arms, as for their not renouncing their
 sworn *covenant*, and refusing to take the *declaration*; and
 therefore it is surprising how † Sir *George MacKenzie*
 could

* See *Jus populi vindicatum*, *Hind let loose*, &c.

† N. B. Sir *George MacKenzie* was one of the advocates who pleaded
 for the first ten prisoners who were executed.

1666. could say in his vindication, *page 8.* that, generally, no man was executed in this reign, who would say *God bless the king*; for it is well known that none of these persons, who suffered at this time, had their life offered to them on that condition. The persecutors, saith the author of *The memoirs of the church of Scotland*, for such this very thing will prove them to be, as if they were fond of having it said that these men died *for religion*, and not for being in arms, ordered several of them to be offered their lives if they would take and subscribe the DECLARATION to renounce the COVENANT. Whether they did this fraudulently, or sincerely, providence never gave them an opportunity to discover; nor whether, if the weakness of any had brought them to yield, they would have performed their promise to them; for not a man they ever offered it to, (I mean of those condemned to die for the rising at *Pentland*) but refused it with indignation, and chose to die rather than to yield to that *unconscionable proposal*. So, in that point, they gained an *undeniable testimony*, that they suffered for religion, *not accepting deliverance*; for none of them esteemed renouncing the covenant to be any thing more or less than renouncing GOD and his church, to whom, and for which that covenant was first entred into. 6. The very same reasons which vindicate the REVOLUTION 1688. are in favour of those who rose at this time; and, had their measures been as well concerted, and their success been as great as their cause was just, nothing could have been said against them. But though the attempt of these worthy men was not so successful as that of the revolution, all that can be said is, that God's time was not yet come for rescuing a bleeding nation. 7. These valuable persons were fairly vindicated, when ever the nation recovered its senses, by the revolution parliament, in the act *July 4th 1690.* by which the forfeited persons were restored, not *ex gratia*, but *ex justitia*, and all decreets and sentences passed against them, by any judges, were declared void and null from the beginning. And thus I have given a pretty full account of this matter, which had no small influence upon the interest of *episcopacy* in *Scotland*; for, after so great a number of executions, *pretacy* gradually and sensibly decayed till the revolution, when the *prelates*, the chief instruments of cruelty, were at last laid aside as a publick nuisance. Whereas nothing more strengthened the interest

rest of presbyterians, than the cheerful and stedfast behaviour of the sufferers, concerning whom it may be said, *The more they were oppressed, the more they grew.* People began more generally to leave the churches, and the ejected ministers ventured to preach a little more publicly, particularly the reverend Mr. *John Welsh*, whose labours were blessed with eminent success; multitudes resorted to hear them, and the poor honest people, by way of ridicule, were called *Whigs*, from wigg, the thin part of milk, which they were forced to drink in their wandrings. Bishop *Burnet* gives another original of this name; he says, that, in the south-west counties of *Scotland*, there is scarce corn enough to serve out the year, and therefore people repair to *Leith* to buy of the stores that come from the north. And from a word *Whiggam*, used in driving their horses, all that drove were called *Whiggamors*, and shorter, *The whigs*, which afterwards became the name of all the patrons of liberty.

C H A P. VIII.

Of the cruelties of Dalziel, &c. The forfeitures of gentlemen, &c. The disbanding of the army, and the bond of peace.—— Mr. Mitchel's attempt on archbishop Sharp,—— the proceedings of parliament,—— the first INDULGENCE, and other things, to the end of the year 1669.

SOON after the victory at *Pentland*, *Dalziel*, with a considerable number of troops, marched to the west, took up his head quarters in the town of *Kilmarnock*, and grievously oppressed the country. From that place and the neighbourhood was extorted upwards of the value of 50,000 merks. All whom *Dalziel* suspected were brought before him, and if they were not guilty, were sure to be held so. He passed what sentence he pleased, and tortured whom he had a mind. Many, upon mere suspicion of being at *Pentland*, were put into the thieves hole at *Kilmarnock*, where they were obliged to stand night and day. And one of them, falling dangerously sick, was not suffered to go out till two persons became bail to return him either dead or alive. The poor man dying, the sureties were forced to bring the corps to the prison-door, where it lay some time till the general thought fit to let it be interred.

When

Dalziel's cruelties.

1667. When one *David Findlay*, of the parish of *Newmills*, was brought before the general and examined, he acknowledged that he was by accident at *Lanerik* when colonel *Wallce* and his men came that way, but did not join them; but, because he would not tell whom he saw there, *Dalziel* ordered him to be shot to death, stript naked, and left on the place, though he was no soldier, nor under his command; and though the poor man begged but one night's time to prepare for eternity, it was absolutely refused him.

A woman cruelly used. Another instance of barbarity was acted on a poor woman in the neighbourhood of *Kilmarnock*. A party of soldiers ordered her to be put into a deep pit under the house of *Dean*, full of toads and other vile creatures, for no other reason, but because a man, whom they were in pursuit of, had run through her house, and she could not tell them what was become of him. Her shrieks were heard at a great distance; but none durst interceed for her, for fear of being sent to bear her company. Whether she died there, or what became of her, I know not.

Two men hanged by the thumbs. Sir *Mungo Murray*, who commanded some soldiers under *Dalziel*, having intelligence of two men who had given a night's lodging to two of the *Pentland* people, ordered them, without any proof, to be bound with cords, and hanged up by the thumbs upon a tree all night; so that, in all probability, they would have died before next day, had not some, even of the soldiers, been so humane as to cut them down, at the hazard of their own lives. How sad must the case of the country be, when the army was permitted to exercise such cruelties upon poor innocent people! Mean while the poor *whigs*, either fled abroad, or concealed themselves in dens and caves of the earth, to escape the fury of the times, this being the severest winter of persecution *Scotland* had known for a long time.

Sir William Bannantyne's cruelties. Much about this time Sir *William Bannantyne* was sent with a considerable party to *Galloway*, where he committed excessive cruelties, and took free quarters wherever he pleased. This party came to the house of *Roger Gordon* of *Holm*, consumed his victual and sheep, though nothing could be laid to his charge. From thence they went to the house of *Earlestown*, which they made a garrison of, and from whence they sent parties through the parish and round the neighbourhood. And because one *David MacGill* had, by his wife's means, escaped

escaped in womans clothes, they took the poor woman, 1667. bound her, and put lighted matches between her fingers for several hours; the torture made her almost distracted; she lost one of her hands, and died in a few days after. They pillaged the country at their pleasure. Some they brought to their garrisons, though under heavy sickness, stripped them almost naked by the way, and threw them into nasty places without the least accommodation.

The soldiers exacted many fines in the most arbitrary manner. Thus, from two countrymen in the parish of *Dalry*, they raised about 363 l. Scots. In the parish of *Garpsphairn*, *Gilbert Monry* in *Marbrack*, without the least alledged fault, had 50 merks imposed upon him; and, when he asked the reason of his being fined, *Sir William Bannantyne* replied, *Because you have gear, and I must have a part of it.* *Alexander Gordon* of *Knokbreck* suffered exceedingly; *John Gordon* in *Carnevel* had his estate worth 16000 merks taken from him, and his brother *Rabert*, who succeeded him, had his house often spoiled by the soldiers, and was himself forced to wander in the mountains. In short, they made all the havock they could; so that the gentleman was forced to retire to *London*, and, after he returned in 1683. was obliged to keep concealed till 1687.

In the parish of *Balmagie*, *Sir William* being in a publick house, and attempting to commit lewdness with the mistress, he struck her husband almost dead for offering to make resistance; and a gentleman in company seizing *Sir William*, and proving too hard for him, *Bannantyne* called in the soldiers, who took the gentleman, tied him neck and heel, bound his hands behind his back, and kept him on the ground in that posture all *Saturday* night, and part of the *sabbath*, till his friends came and gave bond for him. The reader must observe this gentleman was no *whig*, but had been with the *king's forces* at *Pentland*. *Bannantyne* and his party drank in the house most of the *Lord's day*, and, when they could drink no more, let the liquor run on the ground, and rifled the house. In short, his oppressions, rapes, adulteries, murders, &c. were so many, that the managers themselves were ashamed of him. The reader will find many more instances of this nature in *Naphtali*, edit. 1. p. 291, &c. to which I must refer him.

These

1667. These hardships continued on the west and south of Scotland till the beginning of June, when a Squadron of the Dutch fleet came into the Frith, so that the army was obliged to march into the east country to guard the coast.

Other oppressions. But many other hardships were put upon good people by others as well as by the army. Many were imprisoned upon mere suspicion, as James Grierson of Dalgoner and John Hamilton of Aldstain, and one Carmichael, though nothing could be proved against any of them.

Gordon of Robertoun. John Gordon of Largmore, with his brother-in-law William Gordon of Robertoun, being at Pentland, William was killed, and John sorely wounded; so that, through the loss of blood, and lying in the fields some nights after the engagement, he died a few days after he got to his own house, and thereby escaped the fury of the persecutors, who were resolved to carry him to Edinburgh in a litter. Mrs. Mary Gordon of Robertoun was grievously harrassed after the death of her husband and brother, chiefly by the instigation of the curate of the place. We shall afterwards meet with more of the sufferings of this family.

Kirkco of Sundaywell. The family of Sundaywell suffered not a little on this occasion. James Kirkco of Sundaywell had, during the last six years, gone through a series of oppressions, by fining, quartering of soldiers, and the like. Last October he was forced to disperse his family, and to wander from place to place to avoid the depredations and cruelties of the soldiers, which made him suspected to have been at Pentland, though that could never be made appear. However, he was forced to leave the kingdom for the space of three years, and, after his return, he was harrassed by a process of forfeiture; but a comfortable death put an end to all his sorrows.

James MacCleland. James MacCleland, who succeeded him in the lands of Sundaywell, being only suspected, was forced to flee to the mountains, when only 16 years of age, where he and several others kept concealed from November till the 15th of February this year, that he was apprehended by a party of Sir William Bannantyne's men, brought to their garrison at Earlestown, and put in a vault with other prisoners. Sir William most cruelly tortured him with fiery matches between his fingers, to force him to confess what he was entirely ignorant of. In short, he was carried prisoner from place to place, and at last to Edinburgh;

burgh; and being examined before the council in September, he, with 15 others, were banished to the plantations, because he refused the declaration. Mean while he happily broke prison and escaped. This gentleman was harrassed by processses, fines, imprisonments and other oppressions, for many years. But that which went nearest his heart of all, was his sinful compliance, some years after this, in taking the test, of which oath in the next volume.

James Callane merchant in Dumfries was forfeited, James sometime after Pentland, though it could never be proved that he was there; he sustained great losses by the parliament fine, and other exactions by Sir James Turner. Upon his being declared rebel he left the kingdom, and lived seven years in the East-Indies; and at his return he was taken by Claverhouse, and imprisoned at Dumfries 14 months, and at Edinburgh a year and a half, and then banished to Carolina, where he died. After his death, his wife and daughters, for their non-conformity, were deprived of their goods, and forced to wander up and down through the hills and mountains for three years and a half.

Robert Lenox of Plumpton suffered likeways at this time; for his estate, worth 2000 merks yearly, was taken from him, and he forced to flee into England, where he continued as a wanderer for three years. At length he went with his family to Ireland, but, being instrumental in getting a presbyterian minister settled at Glenevie, he was excommunicated by the bishop and his official, fined upwards of 430 L. sterling, and thereby reduced almost to beggary. At last he ventured to Scotland; and, though a papist was in possession of his estate, yet he, having produced the charter of his lands, was put in prison, and when he got out lived upon charity till the revolution. One Thomas Lenox of the same place met with peculiar hardships, both before and after Pentland. By exactions and imprisonments he lost above 679 L. besides a years crop and his household furniture, and that without any process. One time he was imprisoned at Edinburgh 33 weeks, and at another 3 months, for refusing the test.

While these things were thus carried on, a convention of estates met at Edinburgh, on the 23d of January, in which, as Burnet relates, the king, by a special

1667. cial letter, appointed duke *Hamilton* to preside, and, in a letter to lord *Rothes*, ordered him to write to *Sharp* to stay within his diocese, and to come no more to *Edinburgh*. Upon this, the historian says, *Sharp* was struck with so deep a melancholy, that he shewed as great an abjectness under this slight disgrace, as he had shewed insolence before when he had more favour. The convention, according to my author, laid on a subsidy for the army, amounting to 64,000 *L.* monthly, for a year's time, and, in the excess of their loyalty, offered to maintain all the forces the king should be pleased to raise: So that a *blank* was put in his majesty's hand to raise and keep up as great a standing army as his arbitrary counsellors should, for their own ends, advise him to.

Drummond goes to court. p. 240.

Ibid.

The bishops and their party used all their interest to keep up the standing army. 'Accordingly, when the convention was over, lord *Rothes* sent up *Drummond*, as *Burnet* tells us, to represent to the king the ill affections of the western parts; for nothing could be more averse to prelacy than they were. *Drummond* proposed, as an expedient, the pressing of the declaration, and the keeping up of a standing army. *Burnet* says, 'A slight accident happened, that raised a jest which spoiled his errand. The king flung the cover of the letter from *Scotland* into the fire, which was carried up in a flame, and set the chimney on fire; whereupon it was said, That the *Scottish* letter had fired *Whitehall*. And it was answered, The cover had almost set *Whitehall* on fire, but the contents would certainly set *Scotland* all on a flame.'

The king's letter.

The king was prevailed with by *Lauderdale* to send his letter to the council, dated *March* the 12th, in which he impowered them, 1. To tender the oath of *allegiance* and the *declaration* unto such active and leading persons of the disaffected party as they should suspect, and to secure the *recusants*. 2. To emit a proclamation, requiring all within the most disaffected shires to bring in, by a limited day, all arms and powder, under what penalties the council should see proper, only allowing gentlemen to wear their swords. 3. To seize all serviceable horses belonging to disaffected or suspected persons, after being apprised by honest and indifferent persons. 4. To model a militia of horse and foot to join the regular forces, that they might speedily proceed to put the kingdom in a posture of defence.

fence. 5. To provide arms and ammunition for the defence of the kingdom. 6. To take effectual course that every parish secure the persons of their ministers from violence and affronts. And, 7. to give present orders for the *criminal* pursuit of all heritors, or men of estates, all preachers and military officers, who were in the late rebellion, before the justice-general, that they may be tried according to law, and, being found guilty, be forfeited without delay. 1667

This letter being read in council on the 20th of *The council's proceedings upon it.* March, they appointed a warrant for the advocate to pursue heritors, &c. in terms of the seventh article; and on the 25th two proclamations were published, the one for bringing in of arms from the shires of *Ayr, Lanerk, Renfrew and Wigtoun*, and stewartry of *Kirkcudbright*, against the first day of May, and that under very severe penalties. One pretence for this was, to prevent invading ministers of the gospel, who were lawfully admitted preachers among them. It was added, 'That if any injury or affront was done to their minister, the parishioners who shall suffer the same to be done, and not oppose the same, shall be reputed as art and part of the same crime and violence.' So that if a curate's house should be robbed, his parishioners must be charged with the robbery. There were but a few arms brought in, notwithstanding this proclamation. By the other proclamation, of the same date, all who withdrew from publick ordinances, and did not keep their own parish churches, were forbid keeping horses above 100 merks value. Though this gave some satisfaction to the *prelates*, yet it did not fill their churches; and, had this been rigorously executed, the king would have had good many fine horses from many of the managers, nay, and from some of the bishops themselves, who were not very punctual in their attendance on publick worship. That same day they answered the king's letter, acquainting him with what they had done, and farther intended, as to every article of it. After which, there does not seem to have been any more sederunts of council till the 6th of June.

When the council met at that time, a letter from the king, dated the 4th of May, was read, wherein his majesty recommended to them the encouragement and support of the *sober and orthodox clergy*. Whereupon a proclamation was published, much of the same import with

1667. with that of the 25th of *March*, wherein heritors and parishioners were made liable for all the damages done to ministers. That the *sober and orthodox clergy*, as they were now called, by their violent persecuting temper, together with their immoralities, brought upon themselves the odium of the people, is very certain, and consequently there was no other way to support them but by the *secular arm*, from which all their authority was derived. It was indeed hinted in the king's letter, and asserted in the proclamation, that many affronts had been given to those sober and orthodox clergy; and it was proper, for the designs of the managers, that such things should be alledged, let the proof of them be ever so slender.

That same day another letter from the king, of the same date, was read, pressing, in the warmest terms, the forfeiting of those who had been in the late rising, and had hitherto made their escape.

Sir Robert Murray comes from court,

But before any thing could be done in this affair, Sir Robert Murray came from court, to get a true account of the state of the country, and, in the month of *June*, was admitted to the office of justice-clerk. While he was in *Scotland*, all pains were taken, by the *prelates* and their military assessors, to shew the necessity of continuing the forces now in pay, there being a design on foot for disbanding the army. But this was not thought proper to be put in execution, till once peace was concluded with the *Dutch*.

The case of the Pentland prisoners.

Mean while several of the *Pentland* prisoners were set at liberty upon their signing the *declaration*, and some favour was shewn to other gentlemen under confinement, such as *William Lawrie* tutor of *Blackwood*, and *James Hamilton* of *Aikenhead*. And on the 11th of *July* the council gave the following orders relating to the *Pentland* prisoners, viz. 1. That they who refuse the *allegiance* and *declaration* be sent, with the first opportunity, to *Barbadoes*. 2. That the two prisoners, who were willing to take the *allegiance* and *declaration* should have the king's pardon. 3. That they who were taken up upon suspicion should remain in prison till farther examination. And, 4. that these suspected persons should be set at liberty upon their taking the *allegiance* and *declaration*.

Account of forfeitures of such as escaped.

After these things, on the 15th of *August*, the earl of *Athol* justice-general, and Sir *John Hume* of *Rentoun* justice-clerk, with the earls of *Linlithgow* and *Dumfries*, held a justice-court at *Edinburgh*, before whom Sir *John Nisbet*, the

the king's advocate, produced a commission, signed by *1667.*
Roth the commissioner, for pursuing criminally, and
 forfeiting the following persons in their lives and for-
 tunes, as being in the late insurrection in the west, viz.
colonel James Wallace, major Joseph Lermont, William
Maxwell of Moncrief younger, John Macleland of Barscob,
John Gordon of Knockbreck, Robert Macleland of Barma-
geichan, James Cannon of Burnshalloch younger, Robert
Cannon of Montdrogat younger, John Welsh of Star, —
Welsh of Cornley, — Gordon of Garrary in Kells, Robert
Chalmers brother to Gadgirth, Henry Grier in Balmaclellan,
David Scot in Irongray, John Gordon in Middleton of Dalry,
William Gordon there, John MacNaught there, Robert and
Gilbert Cannons there, Andrew Dempster of Carradow, James
Grierison of Dargoner (who was delayed) James Kirco of
Sundaywell, — Ramsay in mains of Arnistoun, John Hut-
chison in Newbottle, — Row chaplain to Scotstarbet, Pa-
trick Listoun in Calder, with his son Patrick, James Wilkie
in mains of Cliftounhall, William Muir of Caldwell, the
good-man of Caldwell, Mr. John Cuninghame of Bedland,
William Porterfield of Quarreltoun and his brother Alexan-
der, Robert Ker of Kerland, William Lockhart of Wicketshaw
David Pe in Pokellie, and the following Ministers, viz.
Messieurs Gabriel Semple, John Semple, John Guthrie,
John Welsh, Samuel Arnot, James Smith, Alexander Peden,
— Orr, William Veitch, — Paton, John Crookshank,
Gabriel Maxwell, John Carstairs, James Mitchel, and
William Forsyth.

Now the reader will observe, that, in this list some *Remarks.*
 were dead, as Mr. Crookshank, and others of them had no
 being; nay, several of their names were corrected in
 the indemnity which came down in the end of the year.
 Besides, all these persons were absent, and the advocate
 urged to have sentence of death passed upon as many of
 them as he thought fit to prosecute; and, the better to
 justify this illegal proceeding, having before-hand prac-
 tised upon the lords of session, produced their answer in
 court to a query he had proposed, viz. *Whether or not*
a person guilty of high treason may be pursued before the
justices, though he be absent and contumacious, so that the
justices, upon citation and sufficient probation and evidence, may
pronounce sentence and doom of forfeiture if the dittay be prov-
ed? To which the lords of session gave it as their opinion,
 'That, upon the justices citation, and sufficient proba-
 'tion taken before the judges and assize, they may pro-
 'ceed

1667. 'ceed and pronounce sentence thereintill, and forfeiture
 'against the persons guilty of high treason, though they
 'be absent and contumacious.'

Things being thus prepared, the advocate pursued the following persons, viz. colonel *Wallace*, major *Lermont*, *Barscob*, Mr. *John Welsh*, Mr. *James Smith*, *Patrick Liston*, his son, and *Quarreltoun*. It was with difficulty they could get a jury, and the one they got was made up of officers in the army, the general's servants, and some papists. Sir *James Turner* was the first witness that was examined, though it is plain he could not well * purge himself of malice, and was afterwards condemned for his oppressions, as we shall hear. Sentence was pronounced the same day, by which all these eight were forfeited in life and fortune. Next day, August the 16th, *William Muir* of *Caldwel*, *John Caldwell* of *Caldwel* younger, *Robert Ker* of *Kerland*, Mr. *John Cuningham* of *Bedland*, *Alexander Porterfield*, *Maxwel* younger of *Moncrief*, *Barmagachan*, *Montdrogat*, *Robert Chalmers*, and Messieurs *Gabriel Semple*, *John Guthrie*, *Alexander Peden*, *William Veitch*, *John Crookshank*, and *Patrick MacNaught*, had the same sentence passed upon them; but two years after this *Robert Chalmer* obtained the king's pardon. Why the same sentence was not passed upon Mr. *Gabriel Maxwel* till the 22d of December 1671. cannot now be accounted for. The rest in the advocate's commission were delayed till the month of November, when it does not appear they were prosecuted, the indemnity and bond of peace being before that in agitation. Some time after this *Caldwel's* estate was given to *Dalziel*, *Kerland's* to *Drummond*, *Lermont's* to Mr. *William Hamilton* of *Woolshaw*, *Quarreltoun's* and his brother's to Mr. *John Hamilton* of *Halcraig*.

Civil al-
 terations.

By this time several civil alterations were made, which tended to make things run in a moderate channel. In England *Clarendon's* party were losing ground; and of late a difference arose betwixt *Lauderdale* and several great men in Scotland, particularly with duke *Hamilton*, *Roths*, *Newburgh*, *Linlithgow*, *Dalziel*, the officers of the army, and the most of the bishops. Those who adhered to *Lauderdale*, in the council, were the earls of *Argyll*, *Tweeddale*, *Kincardine*, lord *Cochran*, Sir *Robert Murray*, and others. *Lauderdale* had such interest with

* According to the law of Scotland in criminal cases, before a witness be admitted, he must swear that he has no malice against the defendant, and that he has received no good deed, or promise of good deed, to swear, &c.

with the king, as to be able to keep his ground against 1667
all his enemies, and several alterations were made to his
advantage. The earl of *Airly* and lord *Cochran* were
made counsellors, Sir *Robert Murray* justice-clerk. And,

At last, when peace was made with the *Dutch*, a let-
ter, dated the 13th of *August*, came from the king, per-
emptorily ordering the army to be disbanded, except
two troops of horse and *Linlithgow's* foot-guards, which
was complied with. And by this means *Rother's* autho-
rity as general, as well as his commission, was now at
an end. The *prelates* were greatly dissatisfied therewith;
and particularly the archbishop of *Glasgow* was reported
to have said, *Now that the army was disbanded, the gos-
pel would go out of his diocese.*

When the army was disbanded matters were ma-
naged with some moderation, and the *presbyterians* had
a little breathing. But the first question that arose,
was, How should the country be kept in peace without
the army? This gave occasion to both parties in the
council to endeavour to the utmost to prosecute their
respective designs. The bishops and their party were
for violently pressing the *declaration* upon all suspected
persons. *Tweeddale* and the other party proposed A
BOND of peace to be taken and subscribed by all to
whom it should be tendered, which last carried their
point by a majority on the 13th of *September*. Of the
which bond the tenor follows.

I *A. B.* do engage, bind and oblige myself, to keep
the publick peace, under the pain of a year's rent
of all and whatsoever lands and heritages pertain to
me, to be paid in case I contravene: And also I bind
and oblige me, that those who are, or at any time
hereafter shall be, my men-tenants and servants, dur-
ing the time they shall be men-tenants and servants
to me, shall keep the publick peace, under the pains
respective after-mentioned, to be paid toties quoties,
if they, or any of them, shall do in the contriar: That
is to say, of the payment of the full value of a year's
duty payable to me for the time by the tenant or te-
nants that shall happen to contravene: And for my
servants, in case any of them shall contravene, the
full value of a year's fee. Which sums aforesaid I
bind and oblige me, my heirs, executors and succe-
ssors, in the case aforesaid, to pay the commissioners of
the

1667. the treasury, treasurer or treasurer-depute, who shall happen to be for the time, for his majesty's use. And consent thir presents be registrate in the books of privy-council.

Remarks. This bond became a matter of warm debate among conscientious people, who feared an oath; for the words were so general, as at first view they seemed to contain nothing inconsistent with *presbyterial* principles, yet they were so *ambiguous*, that the judge who tendered this bond might affirm, that they who subscribed it did homologate the present government both in church and state. To obviate this ambiguity an expedient was proposed by some, of a *declaration* of the subscribers sense and meaning, with a consent of the imposers to it, and a *protestation* taken against the supposed unlawful meaning of the words, and all done by way of instrument in the hands of a publick *notary*, before witnesses. But my author could not tell whether this method was taken.

They who pleaded for the bond said, That it contained nothing but what every person is antecedently obliged to by the second table of the law, even to *keep the publick peace*. It was urged, on the *other* hand, that when two persons enter into a solemn treaty, they are bound not only to all moral duties lying upon them before, but even to every article of the treaty, though to their own detriment. Accordingly some took it, and others refused; which last were represented by Sir *George MacKenzie*, and the *Jacobites* in after times, as a wilful obstinate people, for refusing such a reasonable thing, as to engage to *keep the publick peace*. But then it was said in their vindication, ' 1. That this BOND of *peace* was a confederacy with God's enemies, whom we should reckon as our enemies, and hate them, because they hate him, *Psalms* cxxxix. 21. 2. This cannot be taken in truth, judgment and righteousness, because of the fallacy and ambiguity of the terms; for there are divers kinds of *peace*, some of duty, and others not. It must then be *peace rightly qualified*; for we can profess and pursue no peace of confederacy with *God's enemies*, no peace inconsistent with the fear of God, no peace obstructing the gospel or testimony,—no peace prompting to preposterous prudence, in palliating sin, or *daubing* defections with *untempered mortar*, no peace inconsistent

Hind let
loose, p.
529. &c.

sistent with truth, &c. 3. If we farther inquire into their meaning by living *peaceably*,—it is plain they mean *such a peaceable living* as gives obedience to their wicked laws, and is a compliance with their established courses; *such a peaceable living* as is opposite to their sense of sedition, rebellion, schism, &c. *such a peaceable living* as is contrary to the duties of our covenanted profession, as going to meetings, withdrawing from the curates, &c. which, according to them, is inconsistent with the publick peace. 4. This is contrary to our covenants, by which we are obliged to a constant contending with, and opposition to all the supporters of *popery*, *prelacy*, &c.

1667!
W

The council had likewise ordered some propositions to be sent to the king: Among others, that a proclamation be issued, bearing a general pardon and indemnity to all in the late rebellion, except those who were forfeited, or under process of forfeiture, or who have since done violence to the persons of ministers, invaded their houses, or robbed them of their goods. This last clause was inserted to throw an odium upon all engaged in the late *rising*, although nothing like this could be proved against any of them. Whereas it was alledged, that some of the army personating these people had been *thus* employed, and so the innocent were falsely accused.

In consequence of this an answer came from his majesty, with a proclamation of indemnity to all concerned in *Pentland*, except those mentioned, p. 229. and all other who were forfeited, or under process of forfeiture, and such as between this and the first of *December* next to come shall be found guilty of having robbed ministers houses, or committed violence on their persons; but with this express condition, that this pardon shall only extend to those who shall give *bond* for keeping the *publick peace* before the 1st of *January* following.

Some made this observation concerning the indemnity, that in the beginning it pardoned all, in the middle very few, and in the end none at all. The *bond* they were to give was much the same with that mentioned above, except that they were likewise expressly to engage never to rise in arms against or without his majesty's authority, under the highest pains.

Remarks,

The council, on the 9th of *October*, ordered some alterations to be made in the names of the persons except-

Alterations.

1667. ed in the king's proclamation of indemnity. Thus, finding there was no such person as — Row chaplain to *Scotstarbet*, they ordered that name to be scratched out, and *Caldwel* and *Kersland* to be designed younger, Mr. *Trail* to be designed chaplain to *Scotstarbet*, and *Paton* to be called late preacher; which are proofs of their rashness and inconsiderateness. The clause of *non-resistance*, in the *bond* to be signed by all who were to have the benefit of this indemnity, rendered it entirely useless to the most concerned, for few of them ever could comply with it.

Other acts of council. Jointly with the indemnity the council published their act, of the same date, containing the names of the persons, in the different shires, appointed to take subscriptions from those who claimed the benefit of the indemnity; and ordered all the prisoners to be dismissed upon signing the *bond*. The same day they took off the restraint that was upon persons in the western shires, as to their carrying arms, allowing such as should take the oath of *allegiance*, &c. that privilege. They likewise gave orders to all magistrates and ministers of justice, upon intimation made by the bishops, to apprehend all persons who were not only scandalous in their lives, but disobedient to ecclesiastical authority. In consequence of this, many, who could not submit to the ecclesiastical authority as then established, were harrassed and imprisoned, while *papists*, *quakers*, and the openly vicious, were scandalously overlooked.

Regulations of the forces. In November the council issued some orders for the better regulating the army, viz. that no officer or soldier shall levy money from any of the subjects, but by express order in writing from Sir *William Bruce*, for the cesses and fines, or others authorised by parliament, &c. that satisfaction be made for any abuse, and they who are guilty of making any abuse be punished. But these and several such regulations were little looked after by the managers, and as little observed by the soldiers.

Wodr. Vol. I. B. 2. No. 30. Upon taking the *bond* of peace several who were confined 1665. were set at liberty. Thus Sir *Hugh Campbell* of *Cesnock*, *James Dunlop* of that ilk, *James Holborn* of *Mensfry*, the laird of *Blackstoun*, *William Ralstoun* of that ilk, *Robert Halket*, and major-general *Montgomerie*, were all released from their confinement.

Others kept confined. Mean while other gentlemen were still kept confined without any reason given, such as Sir *George Maxwell* of *Nether-*

Netherpollock, Cuninghamehead and Rowallan. Sir James 1667.
Stewart and Sir *John Chiesly* were sent from the castle of *Edinburgh* to the tolbooth of *Dundee*. Mr. *Alexander Smith* was brought from *Zetland* *, whither he had been * p. 163.
 banished, to *Leith*, and presented before the council.
 And Mr. *Hugh Peebles* † was permitted to go to the † p. 177.
 west to settle his affairs.

In consequence of a letter from the king, dated the 26th of *November*, requiring them to examine into the conduct of Sir *James Turner* during his command in the west, the council appointed the lords *Halkertoun*, register, advocate, justice-clerk, *Cochran*, lieutenant-general *Drummond*, and Sir *Robert Murray*, to examine Sir *James*, and make report. Their report produced a commission from the council, *December* the 8th, to the earl of *Niddsdale*, lord *Kenmure*, the laird of *Craigdarroch*, and others, to make trial of Sir *James's* conduct, &c. Before this committee many gentlemen and others appeared, and gave clear evidence of a great many grievous and atrocious things against Sir *James* and those under his command, which not a little vindicated those who by these oppressions were driven to take arms in their own defence.

While this matter was under examination, the council, in the month of *December*, ordered the clerk to write to the two archbishops, to see that a list of all the *papists* of the kingdom be given in to the council, by every minister's giving in a list of those in their respective parishes, that so the laws against *papists* may be put in execution. But the *prelates* had little zeal against *papists*, and therefore these orders were generally neglected; which could not but tend to the increase of popery, and to pave the way for a *papist* to mount the throne.

On the 12th of *December* a proclamation was emitted against that known book, intitled *Naphtali*, or, *The mation a-*
wrestlings of the church of Scotland, ordering the same to be burnt, and all copies of it to be brought in to the next magistrates by the 1st of *February* next, and any who had copies after that were to be fined in 10,000 *l. Scots*. This book was composed by two very great men; the reasoning part by Mr. afterwards Sir *James Stuart* of *Goodtrees*, one of the best lawyers of his time, and the historical part by Mr. *James Stirling* minister at *Paisley*. Bishop *Honnyman* pretended to answer it; but the weak-
 ness

ness of his performance was sufficiently exposed by Mr. Stuart, in that useful book, intituled *Jus populi vindicatum*.
 1668. On the 9th of January 1668. the council ordered
 ~ Sir William Cuninghame of Cuninghamehead to be brought from the castle of Stirling to that of Edinburgh, because of his business with the lawyers there ; but, in less than two months time, he and the laird of Rowallan were remanded back to Stirling.

The king's letter. Mean while, on the 16th of January, the council received a letter from the king, requiring them to transmit an account, both of those who had, and of those who had not signed the *bond of peace*, and of the persons who had been accessory to the late rising, and had, or had not, accepted of the *indemnity* ; and likewise requiring them to restrain *conventicles*, which were called *rendevouzes of rebellion*, and to execute the laws severely against the ringleaders of such faction and schism.

Act of council. But, before an answer was returned to this letter, the council, on the last of January, ordered the magistrates of Edinburgh to execute the act and proclamation dated
 * p. 172. 17th November 1664 *. against outed or ejected ministers, and to take special care that none be permitted to remain within their liberties without a licence from the council, the archbishop of St. Andrews, or the bishop of Edinburgh, and requiring them to take special notice that no conventicles be kept in the city or liberties.

Report concerning Sir James Turner. On the 20th of February the committee appointed to examine into the conduct of Sir James Turner gave in their report, by which it appeared, that, upon informations from the stewartry of Kirkcudbright, given in upon oath, many illegal exactions had been made, and disorders committed ; such as, quartering soldiers for levying fines and impositions ; -- exacting cefs, or quartering money, for more soldiers than were actually present ; --- fining such as lived orderly, as appears by ministers certificates ; ----- fining fathers for their daughters having their children baptized by outed ministers ; ----- fining in whole parishes promiscuously ; ----- fining one that lay a year bedfast ; ----- taking away cattle. The reader may see the whole report at large, and the defence that Sir James made, in my author's history ; I have only excerpted these few particulars, from which he may form a judgment of what case the country must have been in when exposed to such oppressions ; and, if
 such

such things appeared only from the stewartry of *Kirkcudbright*, what addition must have been made to the number of his disorders, if the like information had been taken from the shires of *Dumfries* and *Galloway*?

1668.

We may well conclude that his defences were poor; *He is discharged the service.* for, when the council transmitted the report, together with *them*, to the king, he ordered him to be discharged his service; accordingly, on the 10th of *March*, he delivered up his commissions. Bishop *Burnet* seems to intimate, that he could have made a better defence than he did, had he been able to produce his papers in time. It is certain he affirmed, that all the commissions and instructions were taken from him by the rebels, when he was made prisoner, and that therefore he had nothing to shew in his own vindication; and it was thought that his severities were not by far so great as his instructions bore him out in.

'This inquiry, says *Burnet*, was chiefly levelled at lord *Rothes* and *Burnet* archbishop of *Glasgow*, to cast the odium of the late rebellion on their *injustice* and *ill conduct*. And it was intended that *Turner* should accuse them; but he had no vouchers to shew. These were believed to be withdrawn by an artifice of lord *Rothes*; but, before the matter was ended, they in whose hands his papers were left sent them sealed up to his lodgings. However, he was by that time broken, and, being a man of spirit, would not then shew his vouchers, nor expose his friends; so that matter was carried no farther.' Now, when we consider that it was entirely owing to these and the like oppressions, that the poor people were forced to take arms in their own defence, and that so much blood was shed, the reader is to judge, whether the punishment inflicted was adequate to the crimes; whether the breaking of an officer or two, without making a publick example for deterring others, was a sufficient reparation for the mischiefs that were the consequences of their conduct.

After the council had sent up the report against *Turner*, on the 27th of *February* they returned an answer to the letter they received on the 16th of last month, wherein they signify that the *bond of peace* was generally signed; that of those who were accessory to the late rebellion, 218 had accepted his majesty's indemnity, and 300 had refused. And, for the farther securing the peace of the kingdom, they proposed, 1. That a pro-

Answer to the king's letter.

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1668. clamation be issued, discharging all persons who would not sign the *bond of peace* from wearing any kind of arms, and from keeping any horses above the value of 50 *l. Scots*. 2. That a farther time be granted for persons to come in and accept of the indemnity, by signing the *bond* required. 3. That his majesty may give warrant for a proclamation, wherein the names of all such of the rebels as shall not then take the *bond* may be inserted, and power may be granted to the magistrates to apprehend them; and that all who shall receive, or harbour them, may be declared rebels. They concluded, by signifying that they can do no more against conventicles, and that they would see the laws put in due execution; and acquainted his majesty with what they had enacted on the last of *January*. Accordingly the council had permission to receive persons upon their signing the *bond of peace*.

Bann-
tyne or-
dered to
be tried.

On the 10th of *March*, when the king signified his pleasure to have *Turner* dismissed his service, he ordered Sir *William Bannantyne* to be taken to an account for his conduct: Accordingly Sir *William* was imprisoned, and a committee appointed to examine his accounts; but, as the council came to no final resolution concerning him till the month of *August*, I shall therefore lay before the reader some of the principal occurrences in the mean while.

Proceed-
ings a-
gainst
conven-
ticles.

Though hitherto there were few field-meetings, yet *presbyterian* ministers ventured to preach to considerable assemblies in private houses and barns, at the pressing solicitations of the people; which practice was a great eye-sore to the *prelates* and the other managers, who were at all pains to suppress them: Accordingly, *May* 7.——*Miller* of *Waxford* was fined in 300 merks for being at a conventicle in the shire of *Ayr*, and obliged to give a bond for 1000 *l. Scots*, that neither he nor any of his family should frequent these meetings for the future. The same day the council gave orders for apprehending and imprisoning all ejected ministers, or others who should keep conventicles. And, on the 9th of *May*, all the officers and soldiers had orders to apprehend the said ministers, dissipate their conventicles, and seize on the principal persons at such meetings; nay, and to seize upon any person they had a warrant for apprehending from a privy counsellor. And, the better to execute

cute these orders, the fines were as conveniently disposed of as they could. 1668.

The same day, May 9th, the council issued a proclamation, ordering all magistrates and officers of the standing forces to seize the following persons, who refused to accept of the indemnity, viz. *Persons to be apprehended.*

In Carsphairn parish.

Nathanael Cannon, James MacMitchel, John, William and Alexander MacMillans, and John MacMillan junior, James MacKilney, John Logan, John Crawford, John Cunningham, John Hannay, George, James and ---- Mac-Adams, George Ferguson, David Cubbison, William Smith, John Wylie, Roger and Robert Malcolms.

In Dalry parish.

David Cannon, Edward, Robert and Andrew Crigh-ton, James Ferguson, John MacHutcheon, John, James, William and John Welshes, Robert Wallet, Herbert and James Biggars, Thomas Smith, Robert Sinclair, John, Robert and David Curriers, Robert Colvin, John Hunter, John Wallet, John Wright, John Whitehead, James MacBirnie, John Wilson, Andrew Haining, John Gaw.

In the shire of Dumfries.

John Kirco, James Callane, James Grier, John Grier-son, John Law, William Harvey junior, George Wil-son, John Gilkerfson, James Aitoun, Thomas Robert-son, Matthew Hamilton, Thomas Brown, John and George Jacks, Robert Rea, Patrick Murray, Robert Davidson.

In Lanerk parish.

John Wilson, Thomas and James Hasties, James Fisher.

In Carluck parish.

William Loch, William and John Gilkerfons, William Frame, Archibald, Robert and Gabriel Forrests, Tho-mas Martin, John Skouller, James Armstrong, William King, Archibald Hart, Robert Smith, William Brown.

As for the Pentland prisoners, Thomas Lenox, under Pentland sentence of death, was set at liberty upon signing the *prisoners banished.* bond. Andrew Robertson got leave to transport himself to New-England. John Bryce, William Ferguson and William Adam, for refusing to sign the bond, were banish- ed to Virginia; nay, the council, a little after this, made a general order to banish all the prisoners who should refuse the bond, the king having referred every thing

1668. thing relating to the rebellion, as it was called, to their pleasure; and, at the desire of the *prelates*, particularly pressed them to rid the kingdom of *preachers* at conventicles: But, notwithstanding all these severe laws, conventicles increased.

Mr.
Bruce's
sufferings.

Mr. *Michael Bruce*, a worthy minister from *Ireland*, and one who was not afraid to preach to great numbers in houses, and sometimes in the fields, about the 2d or 3d of *June* was apprehended, in his own hired house, by captain *G. Erskine*. When he found his house in a manner besieged, he attempted his escape, but was sorely wounded, and confined to the castle of *Stirling*. It was the 18th of *June* before he could be carried to *Edinburgh*, and, when confined there, none were permitted to speak with him unless in the presence of a privy counsellor. When he was examined he was always candid and open, without refusing to answer any question proposed to him.

Letters
against
Torphi-
chen, &c.

Before he was brought to his trial, the council, on the 25th of *June*, ordered letters to be directed against lord *Torphichen*, and other heritors of *West-Calder*, and others to answer for harbouring, instead of apprehending, *John Gilchrist*, *James Nimmo* and *Thomas Finlay*, who were accessory to the rebellion in 1666. This process, being long in dependence, brought many innocent people to trouble.

But to return to Mr. *Bruce*. On the 2d of *July* he was brought before the council, and, owning that he had preached and baptized both in houses and in the fields, was sentenced to be banished out of the three kingdoms, and forced to sign a bond never to return upon pain of death. When about to leave the kingdom he was ordered to be sent prisoner to *London*, where he was confined to the *Gatehouse*; and, after continuing some time there, was sentenced to go to *Tangier* in *Africa*. The reader must determine what to think of this matter. Here, a *Scotsman*, who had been tried and condemned by the council in *Scotland*, gets a new sentence passed upon him at *London*. However, it seems, this good man met with some connivance, and retired after all to *Ireland*.

Proposals
for an in-
dulgence.

Notwithstanding these hardships upon *presbyterian* ministers in *Scotland*, the king this year allowed some breathing to the *non-conformists* in *England*; and the earl of *Tweeddale*, in the month of *June* or *July*, called for

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for some of the ejected ministers of Scotland, who were 1668: concealing themselves, and made proposals to them concerning some favour and *indulgence* he hoped might be procured. The news was very agreeable; but the attempt of Mr. *James Mitchel*, a preacher, interrupted all measures of this kind for some time.

This Mr. *Mitchel* took a resolution to dispatch the Mr. archbishop of *St. Andrews*. Accordingly, on the 11th ^{Mitchel's attempt.} of July, when *Sharp* and *Honnyman* bishop of *Orkney* were going into a coach at the head of the *Blackfriars* wynd in *Edinburgh*, *Mitchel* discharged a loaded pistol in at the north-side of the coach. *Honnyman* received the shot in the wrist, which was designed for *Sharp*. *Sharp* was so universally hated, that, tho' this was done in the high street, and in full day light, yet none attempted to seize Mr. *Mitchel*, who, with great deliberation, went down the wynd, changed his clothes, and escaped. The cry soon arose that a man was killed; upon which some replied, *It was only a bishop*.

This accident made a little impression on *Sharp*. Bishop *Burnet* says, that he thought it decent to go and p. 227. congratulate him on this occasion, and tells us, that *Sharp* said, with a very serious look, *My times are wholly in thy hand, O thou God of my life*. This, says *Burnet*, was the single expression favouring of piety that ever fell from him in all the conversation that passed between them.

A proclamation was issued out, on the 13th of July, offering a reward of 5000 merks to any that should discover the actor; and the same day the magistrates of *Edinburgh* were ordered to search the town and suburbs, for all persons concerned in the late rebellion, or who could not give an account of themselves. The city-gates were all shut, except the *Netherbow*, where one of the magistrates was placed, to let none out whom he did not know, and 100 soldiers were appointed to give their assistance; so it was surprising that great numbers were not apprehended, the town being full of *Whigs*, and of those who had been concerned at *Pentland*, many of whom narrowly escaped, especially *William Maxwell* of *Moncrief*, who escaped their scrutiny by getting under a meal-barrel in the house of one *Moffat*.

People could not but observe the righteousness of pro- ^{Remarks,} vidence in disabling *Honnyman* at this time, who had
H h appeared

1668. appeared most zealous against *prelacy* when it was designed to be introduced, and yet, being seduced by *Sharp* with the temptation of a bishoprick, was the first who wrote against *presbyterian* government, which he once so keenly espoused.

This affair made a great noise, and the odium of it was cast upon the whole body of *presbyterians*, though not one knew any thing of the matter except the actor himself. Whether it is to be justified or condemned the reader may judge, after he sees what he offered in his own defence when brought to a trial some years after this. But the measures taken with some, who were noways accessory to it, seem to be very severe and unjustifiable, as will appear from these following instances.

Severities.

Soon after this there was a quarrel between one *Mrs. Gray* and her servant, who thereupon quitted her service, and went to *Sharp*, and told him she could inform him of several houses where the *whigs* usually resorted, and concerning the person who made the late attempt upon himself. *Robert Gray*, on this information, was brought before a committee of the council, and, suspecting what his servant had done, owned that, upon such a day, his cousin Major *Lermont*, one *Welsh*, and *Mrs. Duncan* a minister's widow, had dined with him; but denied that he knew any thing of the assassination of the bishop. Sir *John Nisbet* the advocate, after some pretended frankness, took his ring from his hand, telling him he had use for it; and immediately sent it with a messenger to *Mrs. Gray*, to acquaint her that her husband had discovered all he knew as to the *whigs*, of which that ring was a token that she might do the like. And accordingly the poor woman, being brought before the committee, told more than her husband had done, particularly of *Mrs. Kello*, where the reverend Mr. *John Welsh* lodged and preached, the foresaid *Mrs. Duncan*, and *John Crawford* messenger, who, having notice given him, made his escape, but his wife and the other two were apprehended. Mr. *Gray* upon this broke his heart and died. *Mrs. Duncan*, when before the council, was threatned with the boots, and had been tortured with them, had not lord *Rothes* interposed, and told them, That it was not proper for *gentlewomen to wear boots*. *Mrs. Kello* confessed that Mr. *Welsh* had preached in her house: She was fined in 5000 merks, ordered to be banished

nished with the other two, and continued in prison a long time; and it was with no small difficulty they were at last set at liberty, after Mrs. *Kello* had paid a good part of her fine. 1668.

About this time some soldiers, going from *Edinburgh* on pretence of searching for the assassins of the bishop, apprehended one Mr. *John Gilon* minister at *Cavers*, who had gone to *Curry*, a few miles from the town, for the recovery of his health, and made him run the most of the way before them, for the space of four miles, to the west-port of *Edinburgh*, where he was forced to stand some hours before the gate could be opened. When he was, the next day, brought before the council, and nothing being alledged against him, he was dismissed to his chamber, but was so excessively fatigued that he died in 48 hours.

On the 23d of July Mr. *Alexander Smith* was ordered to be transported to *Orkney*, and required to confine himself to the island of *North-Ronaldshaw*. Several other ministers were imprisoned in *Forres* for preaching in their own houses, and keeping conventicles in *Moray*, as Mr. *Thomas Hog* minister at *Kiltearn*, Mr. *Thomas Urquhart* minister at ——— and Mr. *John Mac-Killigen* minister at *Alves*.

Another method used at this time against conventicles was, to oblige the magistrates of burghs to give bond to pay a certain sum if any conventicle was kept within their jurisdiction, and ordinarily they were refunded from the persons they could apprehend. Accordingly, on the 29th of July, the magistrates of *Edinburgh* gave a bond to the council to pay 50 L. sterling if any conventicle should be found within their privileges; and this practice was for some time renewed at every election: But, notwithstanding all these efforts to suppress them, they increased the more.

About the end of July, Mr. *John Wilkie*, some time minister at *Twinham* in the south, an old infirm man, having come in to *Edinburgh* for his health, was imprisoned, and then examined, first before a committee, and afterwards before the council, on the 29th. Upon his examination he declared that he was noways accessory to the attempt upon the bishop, and that he only exercised in his own family, which he did daily. He was asked, whether he invited any to his family-exercise. He answered, he invited none, nor debarred any. And when they said, Mr. Wilkie's case.

1668. said, that they supposed he was clear to admit all that came to his family worship, he replied in these words, *Yes, my lord, you should be welcome, and the archbishop of St. Andrews should not be debarred.* In short, the only thing against this good man was his expounding the scripture, singing and praying in his own family, and in two or three others. Nevertheless he was ordered to be confined to *Cowpar of Angus* within ten days after he should be let out of prison; but, not being able to travel so far, he remained in prison for some time, and at last his confinement was altered, first to *Moffat*, and then to *Musselburgh*.

Sufferings
of Sir
James
Stuart,
&c.

Sir Will.
Bannan-
tyne.

Mean while the council met on the 4th of *August*, when Sir *James Stuart* was ordered to be made close prisoner in *Dundee*, and Sir *John Chiesly* in the tolbooth of *Perth*; and orders were sent to the captain of the castle of *Stirling* to put *Cunninghamhead* and *Rowallan* in distinct rooms; and Sir *George Maxwell* of *Netherpollock* was ordered, in eight days, to enter himself prisoner at *Kirkaldy* under the penalty of 500 *L. sterling*, but next day his place of confinement was fixed to the castle of *Stirling*. The same day *James Anderson*, *John Wright* and *Robert Grier* were banished to *Virginia* for being at *Pentland*. And, at the same time, the council fined Sir *William Bannantyne* of 200 *L. sterling*; and, as he had given security for his removing from the kingdom by the 1st of *September*, they freed him from all other pains and punishments. This was justly looked upon as too mild a sentence, considering the horrid extortions, filthiness, rapes and cruelty he had been guilty of; for, besides what has been above related, he made great fires and laid down men to roast before them, when they would not, or could not give the money he desired, or give those informations he wanted. He was barbarous to one gentleman in *Galloway*, supposed to be *Gordon* of *Largmore*, who, through the wounds he received at *Pentland*, and the hardships he endured before he got to his house, fell sick, and was at the point of death when orders came from *Bannantyne* to bring him dead or alive. He raised himself a little on his bed, and told those who were sent, that he now defied Sir *William* and all his persecutors, whom he forgave, since in a little he would be in better company. Having said this, he leaned down, and in a few minutes expired.

Bannan-

Bannantyne upon this sentence went to court, and put 1668. the best face he could upon his affairs; however, he was forced to leave the king's dominions, and accordingly he repaired to the army then in the Low-countries, and served at the siege of *Grave*, where a cannon-ball came and drove his heart at some distance from his body, which, my author says, was answerable to a wicked imprecation he commonly used. So that however mild the sentence was that was passed upon him, yet vengeance would not suffer him to live. His death.

When *Turner* and *Bannantyne* were thus prosecuted, *Partialis* honest people began to hope that now they might lay their grievances before the council; but when *John Ferguson*, one of the magistrates of *Ayr*, gave in his complaints against *William Cuninghame* the provost, and had been at great charges in bringing above 40 witnesses to prove him guilty of many violences and oppressions, he was told by some of the council, that, unless he dropt his prosecution, the declaration would be put him; and, not being able to comply with this, he was forced to hold himself quiet.

Upon a false alarm of another rising, the council, on the 12th of *August*, gave orders to the earl of *Linlithgow* to assemble the forces and disperse the rebels; and on the 3d of *September* lieutenant *Mungo Murray* was sent with 60 horse, and another party under one *Cockburn*, to search for and apprehend any rebels in arms: However there was not the least ground for any of these fears. It was about this time that *Robert Cannon* of *Montdragat*, who was always excepted out of the indemnity, was apprehended; but, being seduced by the managers, he afterwards acted a very ill part. False alarm.

In the month of *November* several concerned in *Pentland* were admitted to take the bond; and *Robert Chalmers*, (who was afterwards pardoned) *William Millar* and *William Murdoch* were banished. *John Donholm* was banished to *Tangier*, for receiving some of the others one night in his house. *William* and *James Welshes* in *Irongray*, whose names were wrong inserted in the proclamation *May* the 9th, were dismissed upon signing the bond of peace. Persons banished.

On the 23d of *November*, the council being informed against *Mr. Daniel Cargil*, for coming to *Edinburgh* and other places, at his pleasure, since he was confined to the north-side of the *Tay*, appointed him to appear before them At a gainst Mr. Cargil.

them on the 11th of *January* next. His only crime was coming to *Edinburgh*, without license, after six years * p. 134. confinement *. But when he appeared, and was heard in his own vindication, he was dismissed, and only ordered to remain within the bounds of his appointment.

1669. The year 1669. which I am now entering upon, was remarkable for the INDULGENCE granted to several of the *ejected* ministers; but, as the king's letter upon that subject did not come down before the middle of *July*, it will be proper to mention the most remarkable occurrences preceeding that event, in the order wherein they happened.

List of We took notice of the council's letter concerning papists. sending in lists of the *papists* *. Accordingly, on the 4th * p. 235. of *February* this year, some lists were brought in; but the council recorded that many were wanting, for the zeal of the times ran in another channel.

Cuning- The hardships of those concerned at *Pentland* were ham of still continued, and all pains were taken to discover such Bedlane of them as had retired to *Ireland*. Accordingly *John Cuning- ham* of *Bedlane* was apprehended there. The council, being informed of this, on the said 4th of *February* ordered the magistrates of *Ayr* to receive him as prisoner. When he was brought over, he was committed to prison, first at *Glasgow*, then at *Stirling-castle*, and after that in *Dunbarton*, where he continued a long time.

* p. 178. The west country gentlemen * met with some favour; for, on the 25th of *February*, *Sir George Maxwell* got liberty to transact his affairs for some time in *Edinburgh*, and had his liberty continued from time to time till the month of *June*. The same day *Sir William Cuning- ham* was allowed to repair to his house till the middle of *March*. However, they were remanded to prison after the time of these favours was expired.

Magi- The persecution for conventicles still went on; for the strates of council, being informed that *Mr. David Hume* late minister at *Goldingham* had preached at a conventicle, in the house of *Mrs. Paton* a widow gentlewoman in *Edinburgh*, fined. on the 2d of *March*, fined the magistrates in the sum of * p. 243. 50*l.* sterling, according to their bond *. And the same day small parties of soldiers were sent to quarter in *Glasgow*, *Newmills*, *Mauchlin* and *Kilmarnock*, to suppress conventicles there, and a party was ordered to *Inverness* to keep the *presbyterians* in awe in that part of the country.

The

The better to find out conventicles, an act of council 1669. was made, on the 4th of *March*, discharging all persons from having their children baptized by any other than *their own parish minister*; and signifying that every heritor, who should act otherways, should pay the fourth part of his yearly valued rent, each tenant 100 *l. Scots*, and six weeks imprisonment, and each cottar, or subtenant, 20 *l. Scots*, and the like imprisonment. The reason given for this act was, because baptism otherways administred was a scandal to the protestant religion, and tended to the increase of popery, schism and profaneness. But where the scandal upon the protestant religion consisted in children's being baptized by persons not authorized by a prelatical church, must be left with the reader. And it is an indubitable fact, that popery and profaneness never increased so much in Scotland, since the reformation, as under this period, when prelacy was established.

Act against irregular baptisms.

This act was ordered to be published throughout the shires of Lanerk, Renfrew and Ayr, and the stewartry of Kirkcudbright, and the commissioners of the militia were ordered to inform themselves of all conventicles and disorderly baptisms since last November, that those who should be found guilty, whether ministers or hearers, might be prosecuted; and instructions were sent to the sheriffs and their deputes, in the western shires, as to the manner in which they were to proceed against non-conformists.

Published.

The same day the council ordered more soldiers to the west, doubting perhaps that the militia would not be zealous enough in prosecuting their neighbours. And *James Row* and *George Mosman* merchants in Edinburgh were fined, the first in 100 *l.* and the second in 200 merks, for being at *Mr. Paton's* conventicle, and *John Row*, agent, in 100 *l.* for the same crime, and threatened with banishment if ever they should be found at another; and in the mean time they were imprisoned till they paid their fines.

Several fined.

About this time collectors of the fines for non-conformity, appointed by law, were named, and sent to those places where conventicles were most frequent; and, the better to encourage these publicans and tax-gatherers, they had 500 merks a piece from the council; however, their reign was short, continuing only to the 1st of June.

Collectors of fines.

But the archbishop of Glasgow stirred up the lord *Cochran* to harraiss the presbyterians in his diocese; and accord-

accord-

1669. accordingly his lordship ordered major *Cockburn* to summon, before a committee of noblemen and gentlemen at *Ayr*, several ministers whom the bishops alledged had acted contrary to law, and preached and baptized irregularly : Such as messieurs *William Fullerton* late at *St. Quivox*, *John Spalding* at *Dreghorn*, *Alexander Blair* at *Galsfoun*, *Hugh Archbald* at *Evandale*, *James Alexander* at *Kilmacalm*, *Andrew Dalrymple* at *Auchinleck*, *John Hutchison* at *Maybole*, *James Veitch* at *Mauchlin*, *Hugh Campbell* at *Riccartoun*, *John Gemble* at *Symington*, and *John Wallace* at *Largs*. When the major came with his men to some of their houses, he compelled them to give bond for their appearance, without producing his warrant, and most rudely treated the families of others, obliging them to leave their houses in 24 hours, to their great detriment and loss. The council was so sensible of this, that *Mr. Veitch* and *Mr. Blair* were allowed 300 merks for their losses.

Appear before the committee at Ayr. All the ministers appeared before the meeting at *Ayr*, and answered the questions put to them, with that meekness and candour, that most of the members were for dismissing them. But, the archbishop wanting to get rid of these good men, *Cochran* prevailed to get them cited before the council next week at *Edinburgh*. They

Before the committee of the council. obeyed, and appeared before a committee of the council on the 6th of *April*, and all frankly acknowledged they had preached, and admitted more to hear them than their own families, and promised that, for the future, they would behave peaceably and soberly, as they had always done, and as became ministers of the gospel : Then they subscribed their answers, upon which they were dismissed, and ordered to appear before the council on the 8th.

Before the council. Being then called in, the lords told them that they deferred passing sentence at this time, but declared that, if any of them should afterwards keep conventicles, they should be punished as the law directs. Upon this *Mr. Fullerton*, as had been concerted among themselves, desired liberty to speak ; which being granted, he delivered himself thus :

Abstract of Mr. Fullerton's speech. My Lord Chancellor,
 ‘ WE have already----confessed----what hath been
 ‘ our carriage, and-----that as, in all our
 ‘ actings, we have carried with due respect to authority,
 ‘ as it became the ministers of the gospel, so we resolv-
 ‘ ed

ed, to continue: And it is no small addition to our sufferings, that we should be---looked upon by any *as jussling with authority*. Yet, considering that it hath been, in all the ages of the church, the case of the Lord's faithful servants, from which our Lord himself was not exempted, to be slandered as no friends to Cæsar, we need not think it strange; for our witness is in heaven---that, as we desire to give unto God the things that are God's, so also unto Cæsar the things that are Cæsar's.---For we judge the fearers of God are the only loyal people in the world, only our loyalty is with subordination to our Lord Jesus Christ, who is king of kings and lord of lords,---and under him to the king's majesty and inferior magistrates, and in this line of subordination we shall deny nothing to the king that shall be demanded.---And, withal, our loyalty is not founded upon extrinick grounds or self-principles and motives, but allenarly upon the basis of conscience.---Hence it was, that, when the royal family was in a low condition, we lay in the dust, and poured out our supplications to God in behalf of the king's majesty.---

And now, seeing we have received our ministry from Jesus Christ, and must one day give an account to our master how we have performed the same, we dare have no hand in the least to unminister ourselves, yea, the word is like a fire in our bosom seeking for a vent. And seeing, under the force of a command from authority, we have hitherto ceased from the publick exercise of our ministry, and are wearied with forbearing,---it is our humble supplication to your lordship, that you would deal with the king's majesty in our behalf, that at least the indulgence granted to others of our way, within his dominions, may be extended to us also. Next, that Mr Nathaniel Fife be inhibited to meddle with us,---and that you would do something or other for the ease and relief of the poor oppressed people in our country, &c.

The council-house was very full, and all were very Ministers attentive, so that at this time these ministers were dismissed. They went home and preached in their own houses; and thus the archbishop was disappointed; and Cochran is reported to have said in a pet, *The ministers shall turn all upside down before I meddle with them again.*

1669. But though these ministers were thus dismissed, yet that very day, April the 8th, the council issued a proclamation against conventicles, declaring that every heritor in the shires of Lanerk, Renfrew, Ayr and Stewartry of Kirkcudbright, upon whose estate any such shall be kept, should be fined in the sum of 50 L. sterling. There was no limitation nor restriction. Notwithstanding whereof ministers did preach, and the people received the word with all readiness of mind. Burnet says, P. 278. this was plainly against law, for the council had no power, by their authority, to set arbitrary fines.

Commission concerning a conventicle. In the months of May and June several ministers were brought before the council; however, as they generally were not prosecuted, I shall not mention them. But, on the 3d of June, the council gave a commission to the archbishop and provost of Glasgow to make inquiry who were present at a conventicle lately kept in that city; for Mr. James Hamilton, late minister at Blantyre, had been informed against for preaching in his own house.

* p. 135, 171. Next day Mr. Thomas Wylie * obtained his liberty, upon giving bond to appear when called; and by this means several of the ministers and others got out of their long confinement.

On the 10th of June, Robert Gibson, Robert Paton, Robert Harper and William Cuthbertson were ordered to be transported for being at Pentland, as were several others whose names I know not.

Mr. Hamilton's behaviour. Mr. Hamilton, just now mentioned, was sent in prisoner to Edinburgh, and, without being in the least damped, owned, before a committee of the council, that he had preached in his own house at Glasgow. And, when they spoke to him of the bishop's lenity and favour, in permitting him to live so long in Glasgow, he replied, That it was easy to speak of lenity and favour; but he was assured he had not so much liberty and favour as Paul enjoyed under a violent persecuting heathen at Rome, where he remained two years in his own hired house, and preached the gospel, and none was forbid to come to hear him; whereas the honest people of Glasgow and himself had been frequently threatened if they did not forbear. And, when they wanted him to give bond to preach no more this way, he said that he had his commission from Christ to preach the gospel, and he would not lay himself under any restrictions,

strictions, whatever force others might bring him under. The chancellor asked him where his commission was. He answered, *Matth. xxviii. 19. Go, teach and baptize.* The chancellor replied, that is the apostles commission, Do you set up for an apostle? No, my lord, said he, nor for any extraordinary person either; but that place contains the commission of ordinary ministers of the gospel, as well as extraordinary ambassadors, as the apostles were. Mr. *Hamilton*, adhering to all this before the council, was, on the 24th of *June*, ordered to be kept in prison till he gave security not to exercise his publick ministry; and a general rule was made that all ministers who should be apprehended, on account of conventicles, should be served the same way, which hindred ministers afterwards to appear when summoned; and this paved the way for denouncing and intercommuning of ministers, or declaring them out-laws. Mr. *Hamilton*, after his health had been greatly impaired, was, by the interest of *Robert Hamilton* of *Silvertoun-hill*, set at liberty, upon giving bond for 1000 merks to appear when called.

But by this time the INDULGENCE was expected, and the bishops, in order to prevent one part of it from taking place, viz. the 400 merks from the non-indulged, got, it seems, the council, on the 8th of *July*, to appoint a committee to examine into the vacant stipends, which, by act of parliament, were ordered to be applied for the increase of the stock of universities. 1669. A committee appointed.

Whether the indulgence, that was now in agitation, was, by the first proposers of it, as is very probable, designed to divide the *presbyterians* among themselves, I shall not determine. *Burnet* says, that the people fell off entirely from all the *episcopal* clergy in the western counties, and a set of hot fiery young teachers went about among them inflaming them still more and more; so that it was necessary to find a remedy for this. If the people were inflamed, it was by the irregular and cruel behaviour of the prelates, &c. and not by any hot fiery young teachers, as that historian is pleased to say. *Leighton* proposed that a treaty should be set on foot for accommodating differences. But this not being agreed to, the earl of *Tweeddale* proposed the granting to some of the ejected ministers leave to go and serve in those parishes, by an act of the king's indulgence. p. 273. 276. 277.

1669. *dulgence.* Leighton was against this. Burnet says farther, that Mr. Mitchel's attempt upon Sharp made him
 277. turn his thoughts to more moderate measures; and, being called to court, he, in general terms, approved of the methods of gentleness and moderation then in vogue. When he came back to Scotland, he moved
 278. in council that an *indulgence* might be granted to some of the publick *resolutioners* with some restraints, such as, that they should not speak or preach against *episcopacy*, though he could not but know that such limitations would not be complied with. However, this author tells us, that the letter he (*Burnet*) sent to the lord
 280, *Tweeddale*, giving a long account of the state of the
 281. country, and advising to put some of the more moderate *presbyterians* into the vacant churches, gave the deciding stroke to this affair.

Mr. *Wodrow* says, that the earl of *Tweeddale* had at this time frequent conferences with some *presbyterian* ministers, particularly Mr. *John Stirling*, Mr. *Robert Douglass*, and others, and prevailed with them to send up a letter to court to be a handle to their friends at London. *Tweeddale* went to court, either with this or soon after, and found his work the easier, that the *presbyterians* in England were at present connived at in their meetings; so that his lordship, on the 15th of July, presented to the council the following letter from the king.

CHARLES R.

King's
letter of
indul-
gence.

RIGHT trusty and right well-beloved cousins and counsellors, we greet you well. Whereas, by the act of council and proclamation at *Glasgow*, in the year 1662. a considerable number of ministers were at once turned out, and so debarred from preaching of the gospel and exercise of the ministry, we are graciously pleased to authorise you, our privy council, to appoint so many of the outed ministers, as have lived *peaceably* and orderly in the places where they have resided, to return and preach, and exercise other functions of the ministry in the parish-churches where they formerly resided and served (provided they be vacant) and to allow patrons to present, to other vacant churches, such others of them as you shall approve of; and that such of these ministers as shall take *collation* from the bishop of the diocese, and keep

keep *presbyteries* and *synods*, may be warranted to lift 1669.
 their stipends as other ministers of the kingdom. But
 for such as are not, or shall not be *collated* by the bi-
 shop, that they have no warrant to meddle with the
 vacant stipend, but only to possess the manse and
 glebe; and that you appoint a collector for these
 and all other vacant stipends, who shall issue the same,
 and pay an yearly maintenance to the said not-collat-
 ed ministers, as you shall see fit to appoint.

That all who are restored, and allowed to exercise
 the ministry, be, in our name and by our authority,
 enjoined to constitute and keep kirk-sessions, and to
 keep *presbyteries* and *synods*, as was done by all mi-
 nisters before 1638. And that such of them as shall
 not obey our command in keeping *presbyteries*, be
 confined within the bounds of the parishes where they
 preach, ay and while they give assurances to keep
presbyteries for the future.

That all who shall be allowed to preach be strictly
 enjoined not to admit any of their neighbours, or a-
 ny other parishes, unto their communions, nor bap-
 tize their children, nor marry any of them, without
 the allowance of the minister of the parish to which
 they belong, unless it be vacant for the time. And if
 it be found, upon complaint made by any *presbytery*
 to you our privy-council, that the people of the
 neighbouring or other parishes resort to their preach-
 ing, and desert their own parish-churches, that, ac-
 cording to the degree of the offence or disorder, you
 silence the minister, who countenances the same, for
 shorter or longer time, and, upon a second complaint
 verified, that you silence again for a longer time, or
 altogether turn out, as you shall see cause. And, up-
 on complaint made and verified of any seditious dis-
 course or expressions in the pulpit, or elsewhere, utter-
 ed by any of these ministers, you are immediately to
 turn them out, and farther punish them according to
 law, and the degree of the offence.

That such of the outed ministers who have behav-
 ed *peaceably* and orderly, and are not re-entered or
 presented, as aforesaid, have allowed to them four
 hundred merks *Scots* yearly out of the vacant church-
 es, for their maintenance till they be provided of
 churches; and that even such who shall give assu-
 rance

1669. 'ranted to live so, for the future, be allowed the same yearly maintenance.

'And seeing, by these orders, we have taken away all pretences for conventicles, and provided for the wants of such as are and will be *peaceable*, if any shall be found hereafter to preach without authority, or keep conventicles, our express pleasure is, that you proceed with all severity against the preachers and hearers, as seditious persons and contemners of our authority. So leaving the management of these orders to your prudence, and recommending them to your care, we bid you farewell. By his majesty's command.'

Given at our court at Whitehall, June 7th 1669.

LAUDERDALE.

Remarks. Whether the following remarks, which have been made upon this letter, are just and well grounded, must be left with the reader: 1. That the civil magistrates take upon them to depose ministers from, and restore them to the exercise of their ministry, as they see proper, and to what places they judge convenient. 2. This letter says, That certain ministers were turned out and deprived of the exercise of their ministry by an act of council, and now the king gives authority to the council to restore them; and consequently all the power granted to the council to act in this affair was derived from the king alone, and therefore the *indulgence* itself was the effect of the *supremacy*. 3. That the ministers to be *indulged* were laid under unlawful restrictions, particularly to use no seditious discourses or expressions, in the pulpit or elsewhere, which all preaching or speaking against *prelacy* and the ecclesiastical *supremacy* was then accounted: That, unless they keep *presbyteries* and *synods*, viz. those held by the *bishops*, they must be confined to the parishes where they preach: That they were not to admit any, except those of their own parishes, to partake of the ordinances, unless those who belonged to vacant parishes, under high penalties, &c. 4. That the design of this favour to be granted to some ministers was to prevent others from preaching to any but their own families, for, says his majesty, *by these orders we have taken away all pretences for conventicles*. 5. That the 400 merks, mentioned in the last paragraph save one, was seldom made good.

Now,

Now, how far they were to blame who complied with the *indulgence*, is not for me to determine; the reader will afterwards hear what some said in their own defence for refusing to accept it. See *the history of indulgence*, p. 5, 6, &c. 1669.

When the above letter was read in council it met with a good deal of opposition; so that the favour mentioned was delayed for some time, and a committee was appointed to consider the contents of it, to pitch upon the ministers to be indulged, and to make draughts of the acts of council relating to this matter. And the bishops and others of the clergy met in the mean time to hinder its taking place as much as possible. They could not prevent it altogether; but *Sharp*, who was a compleat master of dissimulation, to comfort his brethren, promised to make it a *bone of contention*: And, as I have hinted, this seems to have been the design of it. *Opposition made to it.*

About this time a proposal was set on foot for uniting the two kingdoms. 'The king, says *Burnet*, liked it very well, because he reckoned, that, at least in his time, he should be sure of all the members that should be sent from *Scotland*. The duke of *Buckingham* went in easily to a new thing, and lord-keeper *Bridgeman* was much for it. Lord *Lauderdale* pressed it vehemently; but then this affair made it necessary to hold a parliament in *Scotland*, where he intended to be the king's commissioner.' *Proposal for an union. p. 279, 280.*

Accordingly, on the 15th of *July*, a proclamation was issued for calling a new parliament; and care was taken to manage the elections so as the king and bishops might be well served, and any arbitrary and illegal steps taken by the council approved of. But to return. *A new parliament called.*

The committee above mentioned having prepared things, and the ministers with whom they were to begin having notice given them, on the 27th of *July* the lords of his majesty's privy-council, in pursuance of his majesty's letter, dated *June* the 7th, did appoint the following ministers to preach and exercise their other functions at the following vacant kirks, viz. Messrs. *Ralph Rogers* late at *Glasgow*, at *Kilwinning*; *George Hutchison* late at *Edinburgh*, at *Irvine*; *William Violant* late at *Ferrie*, at *Cambusfethan*; *Robert Millar* late at *Ochiltree*, at the same church; *John Park* late at *Stranraer*, at the same church; *William Maistland* late at *Whitshorn*, *The ministers indulged.*

1669. *Whitehorn, at Beith; John Oliphant late at Stonehouse, at the same kirk; John Bell late at Ardrossan, at the same kirk; John Cant late at Kells, at the same kirk, and John MacMichan late at Dalry, at the same kirk. The same day the council made an act concerning ministers indulged, or to be indulged, almost in the terms of the king's letter; but without taking notice of the 400 merks.*

On the 29th of July colonel Robert Barclay, who had been apprehended on suspicion, was permitted to reside at his own house at Ury till January, and some months after was wholly freed from his restraint. And on the same day William Wallace of Carnhill got up a bond that was extorted from him by Sir William Bannantyne.

Other seven indulged.

On the 3d of August Mr. Robert Duncan, late minister at Dumbarnie, who had been several years under restraint, was set at liberty, and the following ministers were indulged, viz. Messrs. John Scot late at Oxnam, there; William Hamilton late at Glassford, at Evandale; Robert Mitchel late at Luss, there; John Gemble late at Symington, there; Patrick Campbell late at Inverary, there; Robert Duncanson late at Lochanside, at Kildochrenan; and Andrew Cameron late at Kilfinnan, at Lochhead in Kintyre.

Received their acts of indulgence.

This day all the ministers who were indulged appeared before the council to receive their acts of indulgence, or licenses, of which there were two forms, the one relating to those who were to serve at their own churches now vacant, the other relating to those who were appointed elsewhere.

Tenor of them.

The tenor of Mr. Rogers's act is as follows.

'The lords of his majesty's privy-council, in pursuance of his majesty's commands, signified the 7th of June last, do appoint Mr. Ralph Rogers, late minister at Glasgow, to preach and exercise the other functions of the ministry at the kirk of Kilwinning.'

The tenor of Mr. Millar's was.

'Forasmuch as the kirk of Ochiltree is vacant, the lords of his majesty's privy-council, in pursuance of his majesty's commands, signified by his letter the 7th of June last, and in regard of the consent of the patron, do appoint Mr. Robert Millar, late minister there, to teach and exercise the other functions of the ministry at the said kirk of Ochiltree.'

When

When the clerk had read both these, and then the act of council above mentioned, a copy was delivered to each of the ministers. After which Mr. *George Hutcheson*, as had been concerted, asked leave to speak; which having obtained, he said :

My Lords,

I AM desired, in the name of my brethren here present, to acknowledge in all humility and thankfulness his majesty's royal favour in granting us liberty and the publick exercise of our ministry, after so long a restraint from the same; and to return hearty thanks to your lordships for the care and pains taken therein; and that your lordships have been pleased to make us, the unworthiest of many of our brethren, so early partakers of the same.

We having received our ministry from Jesus Christ, with full prescriptions from him for regulating us therein, must in the discharge thereof be countable to him: And as there can be nothing more desirable or refreshing to us upon earth, than to have free liberty of the exercise of our ministry, under protection of lawful authority, the excellent ordinance of God, and to us most dear and precious, so we purpose and resolve to behave ourselves, in the discharge of the ministry, with that wisdom and prudence which becomes faithful ministers of Jesus Christ, and to demean ourselves towards lawful authority, notwithstanding our known judgments in church-affairs, as well becomes loyal subjects, and that from a principle of conscience.

'And now, my lords, our prayer to God is, that the Lord may bless his majesty in his person and government, and your lordships in your publick administrations, and especially in pursuance of his majesty's mind testified in his letter, wherein his singular moderation eminently appears, that others of our brethren may in due time be made sharers of the liberty that, through his majesty's favour, we now enjoy.'

This speech was much censured, as not being a sufficient testimony against the plain *erastianism* in the *indulgence*. It is indeed certain that these ministers owned the king's letter as the only rise and fountain of the favour they were then partakers of; and therefore, how far their complying was consistent with their principles as *presbyterians*,

rians, or how far they could be justified in receiving this favour for themselves, while their brethren were still exposed to severe hardships, must be left with the reader.

Proclamation against conventicles.

For this very day a severe proclamation was issued against conventicles, commanding all heritors to inform against any who, within their bounds, should take upon them to preach or carry on worship in such assemblies, to the stewards, lords, bailies of regalities, &c. who were commanded, under the highest penalties, to search for, apprehend and imprison such preachers in order to their being prosecuted. And indeed one design of the indulgence was to bear down and suppress all such private assemblies, as is expressly declared in the king's letter.

Mr. Park's case.

† p. 30, 256.

I cannot here omit the peculiar case of Mr. John Park, † one of the first ten indulged. The bishop of Galloway, in order to prevent his return to Stranrawer, admitted one Nasmith to that church about three days after Mr. Park was indulged by the council. The town and parish opposed this admission, and unanimously adhered to their old minister. Upon which the bishop ordered all parties to be summoned to Edinburgh, that the council might determine in this competition. When Mr. Park was before the council, Mr. Nasmith accused him with ordering the church-doors to be locked after his admission, and exciting several gentlemen to leave the church, &c. But tho' all appeared to be false, and tho' his act of indulgence was prior to the curate's admission, yet the latter was sustained.

Mr. Cargil.

On the 1st of September, Mr. Daniel Cargill, in consequence of his petition, had his confinement taken off, providing he obliged himself not to reside, on any account whatsoever, within the town of Glasgow, nor in the town and suburbs of Edinburgh, without warrant from the lords of session and exchequer.

Seven more indulged.

Next day the following seven ministers were indulged, viz. Messieurs Robert Douglass late at Edinburgh, at Pancaitland, (tho' only during the present vacancy, till a process should be decided;) Matthew Ramsay late at Kilpatrick, at Paisley; Alexander Hamilton late at Dalmeny, there; Andrew Dalrymple late at Auchinleck, at Dalgen; James Fletcher late at Newthorn, there; Andrew MacLean late at Craignies, at Kilchattan; and Donald Morison late at Kilnaglass, at Ardnamurchan.

The

The same day the council ordered the king's advocate to commence, before the parliament, a process of forfeiture against those guilty of rebellion 1666. who were excepted out of the king's indemnity, and have as yet neither been forfeited nor pardoned.

This month the *episcopal* synod of *Glasgow* sat down, *The synod of Glasgow's remonstrance.* and their proceedings issued in the deprivation of the archbishop, who with his clergy were out of measure enraged at the *indulgence*. To use the words of a noted historian, 'When it came to be discanted upon, it appeared to be plainly against law; for, by the act restoring episcopacy, none were capable of benefices but such as should own the authority of the bishops, and be instituted by them. So now the *episcopal* party, that were wont to put all authority in the king, as long as he was for *them*, began to talk of *law*. They said, The king's power was bounded by *law*, and that these proceedings were the trampling of *law* under foot.' It was moved in the synod, 'that an address might be drawn up, representing to the king the miseries they were under, occasioned by the *indulgence*; they complained of it as illegal, and like to be fatal to the church.' It also bore hard upon the king's *supremacy*, which these very gentlemen had sworn to support and maintain. The true genius of *passive obedience men*! Such a paper as this could not but make a considerable noise.

Accordingly, on the last day of *September*, the council being informed that such a petition, *remonstrance*, or grievances, had been debated in the late synod at *Glasgow*, required the archbishop forthwith to call for the said papers, in order to their being presented to the council on the 14th of next *October*, and that Mr. *James Ramsay*, dean of *Glasgow*, and Mr. *Ross* parson there, who drew up these papers, appear before the council the same day, and that the clerk do bring along with him the records of the synod.

On this same 30th of *September*, *William Southram*, who had been a prisoner in the *Canongate* jail for being at a conventicle, was set at liberty, upon finding bail to appear when called, under the penalty of 500 merks. And the same day the council granted their *indulgence* to Messieurs *John Stirling* late at *Edinburgh*, at *Hownam*; *Robert Mowat* late at *Temple*, at *Heriot*; *James Hamilton* late at *Eaglesham*, there; *Robert Hunter* late

1669.

The synod of Glasgow's remonstrance.

Burnet,

p. 283.

Order of council concerning it.

William Southram liberated.

Five more indulged.

1669. late at *Corstorphin*, at *Dunning*; and *John Forrest* late at *Tulliallan*, at *Tillicultry*.

The synod's remonstrance condemned.

On the 14th of *October*, *LAUDERDALE*, who was appointed commissioner to the ensuing parliament, produced before the council a paper sent by the archbishop of *Glasgow*; and, after reading, it was remitted to the consideration of a committee, who made their report on the 16th, when the council declared it to be a paper of a dangerous nature and consequence, tending to the depraving of his majesty's laws, and misconstruing of the proceedings of his majesty and his council; and, in the manner of the conveying thereof, to be most illegal and unwarrantable; and therefore ordered it to be suppressed, and that the principal paper, with the depositions of the dean and parson of *Glasgow*, be delivered to the commissioner, and an extract of this act of council transmitted to the king.

Parliament sat down.

The parliament sat down on the 19th of *October*, before his majesty's pleasure could be known in this affair; and the session was opened with reading the king's letter, which chiefly related to the designed union, which the commissioner most earnestly recommended; and, to engage the bishops and their party, who were chagrined at the indulgence, he insisted upon the king's fixed resolution inviolably to maintain episcopacy, and suppress conventicles. All the members signed the declaration, obliging themselves to maintain prelacy.

Mr. Row's and Lyon's affair.

The day after the parliament met, the council, being informed of an horrid insolence committed upon Mr. *John Row* minister at *Balmacellan* in *Galloway*, ordered all accessory to it to appear before them; The parishioners were likewise commanded to come, and hear and see themselves fined, and otherways censured according to the acts of council in *March* and *June* 1667. Mr. *Row* complained, that three persons in womens clothes came in the night-time, took him out of his bed, beat him and broke open his trunks, and took away what they had a-mind. And Mr. *Thomas Warner*, his father-in-law, *James Grier* of *Milmark*, *Gordon* of *Holm*, *Gordon* of *Gordonstoun*, *John Carsan* and *James Chalmers*, heritors of the parish, were charged as being either actors or accessory to this violence. Tho', considering their distance from *Edinburgh*, they could not come at the first federunt of council, yet they were all found guilty for not appearing; and the heritors and liferenters of the parish

parish were ordered to pay to Mr. Row 1200 L. Scots: 1669.
 And tho' they, and the other heritors, came as soon as possible, and offered to stand trial, they were not admitted; but were ordered to pay their part of the fine imposed. Of the like nature was the complaint of Mr. Lyon, curate at Orr, who was insulted in the night-time: for which the parish was ordered to pay him 600 L. and letters were directed against one John Smith alledged to be concerned in the attempt. Though these attempts are not to be justified, yet why the innocent should be punished for the guilty, and why those who offered themselves to trial should not be heard, must be left to the determination of the reader. But to return to the parliament.

Though one chief design of this parliament was to Burnet, pave the way for an union between the two kingdoms, P. 284. yet all that was done relating to that, was, that an act passed for a treaty about it; whereas the two first acts were of more importance, and had a deeper design.

The first explained and asserted the king's *supremacy*, Ibid. but carried it in such general words, that it might have been stretched to every thing, as the reader will see from the act itself, which I here insert.

ACT anent the supremacy, November 16. 1669.

THE estates of parliament, having seriously con- *Act con-*
 sidered how necessary it is, for the good and *cerning*
 peace of the church and state, that his majesty's power *the supre-*
 and authority, in relation to matters and persons ecclesi- *macy.*
 astical, be more clearly asserted by an act of parliament,
 have therefore thought fit it be enacted, asserted and
 declared; like as his majesty, with advice and consent
 of his estates of parliament, doth hereby enact, assert
 and declare, that his majesty hath the supreme authori-
 ty and supremacy over all persons and in all causes ec-
 clesiastical within this his kingdom; and that, by virtue
 thereof, the ordering and disposal of the external go-
 vernment and policy of the church doth properly be-
 long to his majesty and his successors, as an *inherent*
right to the crown; and that his majesty and his succes-
 sors may settle, enact and emit such constitutions, acts
 and orders, concerning the administration of the exter-
 nal government of the church, and the persons employ-
 ed in the same, and concerning all ecclesiastical meetings
 and matters to be proposed and determined therein, as
 they,

1669. they, in their royal wisdom, shall think fit; which acts, orders and constitutions, being recorded in the books of council, and duly published, are to be observed and obeyed by all his majesty's subjects; any law, act or custom to the contrary notwithstanding. Likeas his majesty, with advice and consent foresaid, doth rescind and annul all laws, acts and clauses thereof, and all customs and constitutions, civil or ecclesiastick, which are contrary to, or inconsistent with his majesty's supremacy, as it is hereby asserted, and declares the same void and null in all time coming.'

Remarks. The reader cannot but see, that, by this act, the king may do what he pleases with respect to church-affairs. If he should think fit to pull down *episcopacy*, and set up *presbytery*, the bishops could not complain, since they had voted him such an *absolute* supremacy; nay, did he, or his successors, introduce *popery*, they might justly plead this act of parliament. Bishop *Burnet* says, p. 284. Lord *Lauderdale* very probably knew the secret of the duke [of *York's*] religion, and had got into his favour; so it is very likely he intended to establish himself in it, by putting the church of *Scotland* wholly in his power. But, says he, that was yet a secret to us all in *Scotland*. The method he took to get it passed was this. He told all those who loved *presbytery*, or that did not much favour the bishops, that it was necessary to keep them [*the bishops*] under, by making them depend absolutely on the king.—He made the nobility see they needed fear no more the insolence of the *bishops*, if they were at mercy, as this would make them. *Sharp* did not like it, but durst not oppose it. *Leighton* was against any such act;—yet he gave his vote for it. He farther says, At that time there was no apprehensions of the danger of *popery*. Many of the best of the *episcopal* clergy, *Nairn* and *Charteris* in particular, were highly offended at the act. They thought it plainly made the king our POPE.' So far the doctor. It is easy then for the reader to imagine what the sentiments of all true *presbyterians* must be. I shall make no farther remarks on this act, than to observe, that the earl of *Tweeddale* protested to Dr. *Burnet*, p. 285. as he tells us himself, that his chief end in it was to justify the *indulgence*, which was certainly granted contrary to several laws then in force; and consequently, as this *indulgence* flowed from the *supremacy*, so nothing but

but the act of *supremacy*, renewed and extended, could screen the members of council in granting it to ministers who had the laws against them; and this was one reason why their acceptance was condemned. 1669.

The next act that passed related to the *militia*, where-^{Act a-} in the power of arming the subjects, and raising them^{bout the} in arms, is likewise placed among the *inherent rights of*^{militia.} *the crown.* Burnet says, 'It was enacted, That the Ibid. *malitia* should still be kept up, and be ready to march into any of the king's dominions, for any cause in which his majesty's authority, power or greatness should be concerned; and that the orders should be transmitted to them from the council-board, without any mention of orders from the king. Upon this great reflections were made; for, when jealousies broke out in England of the ill designs that lay hid under this matter, it was thought, that, if the king should call in the *Scottish* army, it would not be necessary that he himself should send any orders for it; but that, upon a secret intimation, the council might do it without order, and then, if the design should miscarry, it should not ly on the king, but only on the council, whom, in that case, the king might disown, and so those about the king would be blameless.

The fifth act was for the security of the persons of ^{Fifth act.} the clergy, ratifying the proclamations of the council the 25th of *March* and 6th of *June* 1667 *.

* p. 227.

By the eleventh act, ^{Eleventh act.} concerning the forfeiture of persons in the late rebellion, what the council and justiciary had formerly done *, was ratified and approved of, so that now there is a parliamentary forfeiture of these persons in absence. The parliament rose the 23d of *December*. * p. 229, 230.

Mean while, on the 9th of *December* the following ^{Five more in-} five ministers were indulged, viz. Messrs. *James Veitch* ^{indulged.} late at *Mauchlin*, there; *Alexander Blair* late at *Gal-* *ston*, there; *John Primrose* late at *Queensferry*, there; *David Brown* late at *Craigie*, there; and *John Crawford* late at ———, at *Lamington*. But the same day, the council being informed that ——— *Hamilton of Kinkell*; *John Balcanqual* brother to the laird of that ilk, and *John Geddie* steward to the town-clerk of *Fife*, had been present at a conventicle in that shire, they were summoned to appear on the 16th instant, under the pain of rebellion; but no more is mentioned concerning them.

However,

1669. However, on that day the council, considering that Mr. *Matthew Ramsay*, who was appointed to be minister at *Paisley*, was not able, by reason of his bodily infirmities, to officiate, did, with the consent of the patron and of Mr. *Ramsay*, appoint Mr. *John Baird*, late minister at *Innerwick*, to the church of *Paisley*; so that this year there were 35 indulged by the council in consequence of the king's letter.

Gentlemen set at liberty. Some time in this month, Sir *William Cuninghame* of *Cuninghamehead*, Sir *William Muir* of *Rowallan*, Sir *George Maxwell* of *Netherpollock*, Sir *James Stewart* and Sir *John Ghiesly*, were all set at liberty.

Burnet turned out. Much about this time a letter came from the king laying aside the archbishop of *Glasgow* from acting any more in that station. The historian of his own time says, 'That, by the act of *supremacy*, the king was now master, and could turn out bishops at pleasure. This had its first effect on *Burnet*, who was offered a pension if he would submit and resign, and was threatned to be treated more severely if he stood out. However, he complied, and retired to a private state of life, and bore his disgrace better than he had done his honours.' This change was very agreeable to the presbyterians, who suffered exceedingly at the instigation of this man. I now proceed to

C H A P. IX.

Of the indulged, the proceedings against conventicles, the attings of the western committee, Leighton's accommodation, the laws and acts of parliament; with an account of the second indulgence, and other things, till the end of the year 1673.

1670. THE indulgence granted last year afforded, doubtless, some relief to those who could accept of it, while others were still exposed to the hardships of the times, though not to that rigour as when *Burnet* was archbishop of *Glasgow*.

One more indulged. On the 1st of *January* 1670. Mr. *William Tullidaff*, late minister of *Dunboig* was indulged to officiate at *Kilbirny*. The same day the council ordered the stipends to be paid to the indulged ministers.

Burnet's resignation. On the 6th of *January* the commissioner signified to the council that the archbishop of *Glasgow* had resigned

ed his office and dignity, and desired his name might be taken out of the rolls of council, as being no more a member of it. At the same time the dean and parson of *Glasgow* were reprimanded by the council, but afterwards were pardoned and restored to their charges. The archbishop was, after some years, restored, as we shall relate in its proper place. 1670!

The same day the council, being informed that Mr. *Robert Boyd*, curate of *Carmonnock*, had been robbed by persons unknown, ordered letters to be directed against the heritors of the parish. Accordingly, the parish being fined in the sum of 50 *L. sterling*, *Sir Archibald Stuart* of *Castlemilk* paid the fine, which was given to Mr. *Boyd*. This, with such like attempts, gave rise to the *western committee*, of which we shall hear in its place. *Sir Archibald Stuart fined.*

Mean while the *indulged* ministers soon found themselves in more straitning circumstances than at first they apprehended. Thus, when they received their licenses, they agreed among themselves to keep up the practice of *lecturing*, or expounding a portion of scripture before the forenoon's sermon, which had been out of use since the establishment of *episcopacy*. But the bishops complaining of this, as an innovation, the council, on the 13th of *January*, passed an act forbidding this useful and edifying exercise, signifying, that whoever used it should be discharged the exercise of their ministry within the kingdom. Though, according to the *indulgence*, ministers were to preach and perform the other functions of the ministry, yet they were forbidden to expound the scriptures; how consistent this was with their *licence* the reader must judge. *Act a. against lecturing.*

It is not to be denied but the *indulgence* was granted as the most effectual method to suppress conventicles, and therefore the same day the military received new instructions, upon information of a numerous conventicle kept since last *November*, to apprehend the minister and the most considerable heritors and tenants, and, upon their refusing to give security for their appearance before the council by a certain day, to send them in prisoners with a party, together with a list of persons to witness against them. This not only made the soldiers severe, but likeways obliged both ministers and people to repair to the fields, where they could, with the greater ease, disperse themselves, and excited some to take arms with them to defend themselves and their ministers. *Instructions to the soldiers.*

1670. The same day a very good proclamation was issued by the council against *papists*, but little or no pains was taken to put it in execution, the great thing being to bear down the *protestant* non-conformists.

Mr. Accordingly, the very next day, being *January* the 14th, Mr. *Andrew Mortoun*, minister at *Carmonnock*, was, by the council's order, committed prisoner to *Edinburgh*, for preaching in the said parish; and was afterwards sent to *Stirling*, where he continued under confinement till *November*, when, by reason of his bodily indisposition, he was set at liberty; only he must remain at his own house at *Glasgow* during pleasure. He preached there almost every day to such of the citizens as came to hear him, except on *Wednesdays*, which he reserved for those of his own congregation, who, being but four miles distant, came in great numbers. Much about the same time Mr. *Hugh Archbald* minister at *Strathaven*, and Mr. *John Rea* Minister at *Symington*, were apprehended and sent prisoners to *Edinburgh*, and afterwards to *Stirling*, for preaching and baptizing in houses.

Another indulged.

Mr. *Alexander Wedderburn* late minister at ——— was, upon the 27th of *January*, indulged to officiate at *Kilmarnock*, and,

Kersland.

* P. 230. On the 3d of *February* *Kersland* * was sent from *Edinburgh* to *Dumbarton* castle. When this gentleman was forfeited, he thought proper to retire for safety to *Utrecht*, where he continued with his family some time, till his friends thought necessary he should come home, though as private as possible. His lady came over about the latter end of last year, and he followed her in a little time; but when he came to *Edinburgh* he found her in a fever. She lodged with a gentlewoman who was a well-wisher to the suffering cause, and he lodged in a more retired place, and generally came to see her in the evenings; which being observed by *Cannon* of *Montdrogat*, the chancellor got information, and an order was procured from *Lauderdale*, then in town, to apprehend Mr. *Welsh* for a conventicle he kept in lady *Kersland*'s chamber, though the chief design was upon *Kersland* himself. Accordingly a party was sent, and finding no conventicle there, the officer begged the lady's pardon, and retired. But *Montdrogat* having informed one of the party, that *Kersland* usually conceal-

ed

ed himself behind the bed, he went and apprehended him. His lady behaved with a becoming calmness, comforted him, and intreated him to do nothing to wound his conscience, for *her sake or his childrens*, repeating that scripture, *No man having put his hand to the plough, and looking back, is fit for the kingdom of God.* He was imprisoned at *Edinburgh*, and this day was sent to *Dumbarton*, where he remained near a year and a half.

The same day a very severe proclamation was agreed upon in council against conventicles; by virtue of which, not only the magistrates, but also the officers of the militia, were empowered to search out such meetings, and apprehend the preachers and principal persons who attended upon them. These violent measures obliged ministers and people to take to the fields, and defend themselves the best way they could.

On the 10th of *February*, the council, being informed of two numerous conventicles about *Kirkintilloch* near *Glasgow*, ordered Mr. *Hamilton* and Mr. *Mitchel* the preachers to be apprehended and sent to *Edinburgh*. Sometime after one *Robert Burns* of *Glasgow* was fined in 100 merks for being present. The beginning of next month the magistrates of *Edinburgh* renewed their bond concerning conventicles. And,

On the 3d of *March* the following ministers were indulged, viz. Messrs. *John Lauder* late at *Dalziel*, there; *George Ramsay* late at —, at *Kilmawers*; *John Spalding* late at —, at *Dreghorn*; *Thomas Black* late at —, at *Newtyle*; *Andrew MacLean* late at —, at *Killaro* and *Kilquhanan*; *Andrew Duncanson* late at —, at *Kilchattan* in *Lorn*. These were the last who reaped the benefit of the first indulgence, who were in all 42; but, as we have already observed, they soon found themselves abridged in the liberty they expected, particularly by the act of council against lecturing.

Mr. *Gilbert Burnet*, afterwards bishop of *Salisbury*, having been chosen professor of divinity in the university of *Glasgow*, tells us, that the clergy came and laid their grievances and complaints before him, and that the gentlemen of the country made such complaints of the vices, irregularities, and indiscretions of the clergy, that though he could not believe all, yet it was impossible not to believe a great deal. He says farther, that they were very ill used; and it is not unlikely this might be the case of some, for the people were generally

set

1670. set against them. And therefore he proposed that a committee of the council might be sent round the country to examine matters, and give such orders as were at present necessary for the publick quiet, and prepare a report against the next session of parliament, that proper remedies might be found out.

Their
commissi-
on.

Accordingly, on the 7th of April, the duke of Hamilton, the earls of Linlithgow, Dumfries, Kincairdin, Dundonald, the lord clerk-register, and lieutenant-general Drummond, or any four of them, received a commission from the council to execute the laws against the keepers of *conventicles*, to examine into the abusive attempts committed against the *orthodox ministers*, to call before them such persons as they shall be informed have transgressed the acts of parliament, &c. And, among other particular instructions, they were to inquire into the affair of the minister at *Maybole*, the abuse done to Mr. Irvine minister at *Kilmacolm*, &c. and to examine how the *indulged* ministers have observed the act of council against *lecturing*, &c.

At the same time orders were sent to the officers of the army to obey the commands of the said commissioners, or of any one of them. And the same day the council passed an act in favour of such of the *episcopal* incumbents as had been thrust from their charges, appointing them to be maintained in their benefices and stipends according to their rights thereunto.

Maybole
affair.

When this committee was at *Ayr*, Mr. Jaffray the curate at *Maybole* renewed his complaints, that some of his parishioners had attempted to murder him, by discharging a pistol at his breast. He said the ball came upon a book which he had in his breast under his coat, which was the only thing that saved his life. But the story appeared to be forged; for though the book was pierced, yet it was found that the coat, which was over the book, was whole and entire; so that, the curate failing in his proofs; the matter ended in laughter.

Mr. Ir-
vine's
case.

Mr. Irvine at *Kilmacolm* was very ill liked among his parishioners. While he was preaching one Lord's day, some boys threw a piece of a rotten stick at the pulpit; upon the noise it made Mr. Irvine left the pulpit, and went to his own house, being followed by some of the boys with huzzas and cries. Upon this a report was spread, that a minister had been stoned out of his pulpit, and forced to flee for his life to the manse: But, when the committee examined this affair, they found it only

a fro-

a frolick of some idle boys. However, the matter being transmitted to the council, they found *James Watson, James Ranken, John Hatrick* and *William Sinclair* guilty of the riot, and ordered them to be transported to the plantations; but the last two, because of their youth, were pardoned, upon their making a publick acknowledgment before the congregation. Whether the sentence was executed against the first two is not known. The parish was first fined in 50 *L. sterling*, and then increased to 100 *L.* to be paid to the *curate*. And the lairds of *Douchal* and *Carncurran*, then at *Edinburgh*, were discharged to leave the town till they paid the said sum. Upon examination the members of this committee plainly saw, that all, or most of the alledged disorders committed by the common people, were owing to the ill conduct of the *incumbents*.

1670
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As this committee examined into these abuses, so, according to their instructions, they took account of the *indulged* ministers with respect to their observing the act of council against *lecturing*. These ministers being apprehensive that they would be examined as to this, met together and agreed to keep up the practice, altho' they used different methods. Some, it seems, forbore it, but others altered their former method, and, instead of one chapter, or part of a large one, read two or more chapters, which came nearest to the prescriptions in the directory. Others read a whole chapter, and pitched upon some verse of it for their text, and in opening the text explained the context. But these different practices neither satisfied the committee, nor were agreeable to many of their hearers. However, when they were examined before the committee, they gave an account of their different practices, and yet, contrary to expectation, moderate measures prevailed.

The case
of the in-
dulged.

While the committee sat at *Glasgow* the *curates* gave in lists of many *non-conformists* who were alledged to have kept conventicles. Several were fined on that account, but the particulars are not known.

Commit-
tee's pro-
ceedings
against
conven-
ticles.

The town of *Edinburgh* having been a great shelter to the ejected ministers the magistrates received orders from the council to turn them all out. And the provost having got a list of them from the bishop, sent the town-officers to seize them; however, none were apprehended except Mr. *George Johnston* minister at *Newbattle*, who being examined, and owning his having preached

Mr.
George
John-
ston.

1670. preached on week-days, and on the Lord's day after four o'clock, when the publick worship was over, and refusing to engage not to keep conventicles, the council banished him the town of *Edinburgh*, and confined him to the parish of *Borthwick* during their pleasure; and it was the end of the year before his confinement was taken off. The hardships of other *presbyterian* ministers, by the soldiers having orders to quarter in their houses till their families should remove, were so great, that they were forced to seek a new shelter; for many were in danger of their life. But tho' many of them were reduced to straitning circumstances, yet God wonderfully provided for them.

Mrs. Cuning- On the 13th of *May*, *Mrs. Elisabeth Cuning-*
ham, &c. *Hilderstoun*, was fined by the council in 400 merks, for a conventicle in her house; as were *Nichol Gardiner* merchant in *Edinburgh* in 200 *l.* and to be imprisoned till he discovered the minister, and *James Clarkson*, *Archibald Henry*, *William Leick* and *David Jamie*, in 100 *l.* each, all for being at the same meeting. And the magistrates of *Edinburgh*, according to their bond, were fined in 50 *L. sterling*. Such were the hardships of the times! And, on the the 9th of *June*, the heritors of the parish of *Neilstoun* were fined in 1000 *l. Scots* for a riot on *Mr. Kinnier* the incumbent, and *Allan Stewart* of *Kirkstoun* was ordered to continue at *Edinburgh* till it was paid.

Field- The multitudes who went after the preaching of the
meetings. word were so great that houses could not contain them, so that now *field-meetings*, which, of all others, were most violently opposed, became frequent, three of which made great noise. About the middle of *June*, *Mr. John Blackadder* and *Mr. John Dickson* preached to a numerous assembly at *Beeth-hill* in the parish of *Dumfermling*. One Lord's day a lieutenant of the militia rode up on horse-back, and gave the meeting great disturbance: Whereupon a person more courageous than the rest came up to him, and having in vain intreated him to withdraw peaceably, took his horse by the bridle, presented a pistol, and threatned to shoot him if he was not silent. The lieutenant continued upon this peaceably till the worship was over, and then had liberty to go where he pleased. The news of this horrid insult, as it was called, soon reached *Edinburgh*, and *Sharp* knew well how to improve it. So that many were brought

to trouble on account of it. *Robert Walwood of Touch* 1670. was fined in 500 merks, and ordered to ly in prison till it was paid. *Mr. Alexander Hasty* (after the revolution one of the ministers of *Glasgow*) *Adam Stobie of Luscar*, *William Adam* merchant in *Culross*, *James Sloss* in *Borrowstounness*, *David Mather* elder in *Brignies*, *John Ranken* in *Bonhard*, and *James Duncan* in *Grange*, were taken, and, refusing to inform against others, were each fined in 500 merks, and ordered to ly in irons during pleasure : And afterwards they, together with *Mr. John Vernor* and *Robert Orr* in *Milnbank*, who had a child baptized there, were ordered to be banished the king's dominions, and not to return upon pain of death. *James Dundas*, brother to the laird of *Dundas*, was likewise ordered to be transported, but, upon giving his oath upon some interrogatories relating to this conventicle, was set at liberty. Many others were brought under great hardships for this conventicle, as *Margaret Martin* lady *Colvil's* gentlewoman, and *Bessie Young* her servant, who lay in prison a long time.

Another field-meeting was held, much about the same Field-time, at *Livingseat* in the parish of *Carnwath*, on ac-^{meeting}count of which many suffered in the same manner as ^{at Liv-}those mentioned in the last paragraph, particularly that ^{ingseat.}pious youth *Mr. John Vernor*, who, it seems, was at both ; and, refusing to inform upon oath against any who were present, was committed close prisoner, ordered to ly in irons during the council's pleasure, and to be fed with bread and water. During this confinement his leg gangrened, which had almost cost him his life ; and, notwithstanding all the intercession that was made for him, it was *November* before he and *Robert Orr* were set at liberty, upon giving security, under the penalty of 500 merks each, to appear when called. *John Carmichael* in *Blackburn* and *David Carmichael* in *Potishaw* were fined in 100 merks each for being at this meeting.

The council, being informed of a third field-meeting ^{Field-}at the *Torwood*, ordered the earl of *Callender* to use his ^{meeting}interest for suppressing conventicles in *Stirlingshire* ; ac-^{at Tor-}cordingly *Charles Campbell* in *Airth*, ref-^{wood.}using to inform, was sentenced to be transported for being at this meeting.

Mr. John Menzies, minister at *Carlaverock* near *Dum-* ^{Extra}fries, observing the severities against protestants, while ^{Men-}the papists remained unmolested, notwithstanding the se-^{zies's}veral remonstrances he had made to the bishop in the dio-^{testimony.}cesan

1670. cesan meeting, and to the *brethren of the exercise*, against the growth of *popery*, at first withdrew from their meetings, and at last, on the 12th of *July*, sent in his written testimony to the *presbytery of Dumfries*, in which he says,

‘ **T**HAT which hath——been matter of lamentation to many, is, that when——the abomination of *popery* was almost rooted out of our land, that noisom weed hath, of late years, got a great footing among us again. And when not only——*popery*——but also profanity of all sorts abounds among all ranks and degrees:——And while many of the godly——are mourning in secret for these abominations, as being a sad prognostick of the Lord’s departing from us, and a judicial stroke of his vengeance.——It is not unknown to some of you, that, in some of the later synods, I did regret the growth of these ills, and intreat that some effectual remedy might be used for preventing their farther increase; albeit much was promised, yet nothing hath been performed. I likewise often represented——the abounding of these in most parishes of this presbytery, and particularly within the bounds of my charge.——The last day I was at your meeting, I desired that, by an act of the presbytery, *papists* might be prosecuted, as well as the profane, &c. but was plainly refused that day,——it being declared not to be seasonable; and some of you asserting *them to be the presbytery’s useful friends*. In consideration whereof——my beholding this your way hath occasioned my more serious thoughts of the course of *conformity* with *prelacy*. And albeit *popery* and profanity may be very accidental to the course of *conformity* with *prelacy*; yet beholding that these two pernicious weeds thrive so kindly in your soil, it hath moved me now, more than ever, to search out what of God can be in that way. And——this is the result of what I have attained to, that I, through scripture-light and other engagements,——cannot any longer adhere to *conformity* with *prelacy*, without the grievous wounding of my own conscience,——and that by my former *conformity* I have exceedingly offended God, and have been a stumbling-block in the way of his people, for which, as I desire to be humbled before God, so I crave pardon of all his people whom I have offended. This I declare upon account of no worldly advantage; but my
wit-

witness is in heaven, I do it only for the glory of God, 1670. the edification of his people, and the exoneration of my own conscience.' —

Upon this, in a most moving, faithful and affectionate manner, he exhorted them to consider their ways; represented how dismal it was that so many of the faithful should be cast out of God's inheritance; and concluded with these words, 'Finally brethren, as for *prelacy*, whereupon the Lord hath stamped this mark of his displeasure, that under it truth and godliness hath been under a sensible decay, so ye would consider and ponder the same impartially in the balance of the sanctuary, then, who knows but you shall discover it to be a plant not set by the hand of God, but of man, and which the Lord in his own time may cause to be plucked out of his vineyard again?' He desired that this his testimony might be registred in the *presbytery records*, but whether this was complied with is not known. Several others also fell off afterward from the *prelates*.

The time of the sitting of the parliament drew near, and *Lauderdale*, when he came to *Edinburgh*, in order to ingratiate himself with the *prelates*, renewed the severities against the *ejected* ministers; for, by proclamation, he discharged any of them from coming to town, without licence, upon pain of death. And as those of them who were most frequent in preaching were summoned, at several times in the month of *August*, to appear before the council, so they, finding that they would either be banished or imprisoned, resolved among themselves not to appear, and sent a letter through all of their persuasion to stir them up to prayer and solemn fasting in this day of distress and treading down. See *Wodrow's* appendix, vol. II. No. 40.

The parliament sat down on the 28th of *July*. And *Parliament sat* the acts of this session, though short, continuing only for the space of a month, were sanguinary to the last degree, and, while they remain on record, must brand the makers of them with indelible disgrace. The first act *First act.* impowered—the king to name commissioners for treating of an union between the two kingdoms; but this came to nothing.

The 2d act related to those who refused or delayed *Second act.* to depose or swear against delinquents when required; by which every person, of what quality or sex soever,

1670. was obliged to answer upon oath, and swear as to their knowledge of any crimes against the publick laws and peace of the kingdom, and particularly of any *conventicles* or other unlawful meetings, and of the several circumstances of the persons present, upon pain of fining, imprisonment or banishment, at the pleasure of the council. The reader cannot but see the iniquity of this act, by which the nearest relations were obliged to swear against one another under the penalties mentioned in it; parents were obliged to accuse their children, and children their parents.

Act against conventicles.

But the 5th, intituled *Act against conventicles*, was of all others the most barbarous. By this it was enacted, 'That no outed or ejected minister, not licensed by the council or tolerated by the bishop, presume to preach, expound scripture, or pray in any meeting, except in their own houses, and to those of their own family; and that none be present at any such meeting.' So that if any such minister should be found praying in any family except his own, he was a transgressor of *this law*. Whether this be not a scandal to christianity itself, let the reader judge. Strange times! When a minister's praying in any house but his own was reckoned sedition. However, this was the case, and the minister or preacher, by this *famous* act, was to be imprisoned till he found bail not to keep another conventicle under the penalty of 5000 merks, [*a greater sum than most of them were worth*] or else consent to leave the kingdom, never to return without his majesty's licence. And as for those present at such house-conventicles, they were to be fined according to their qualities; if heritors, in the fourth part of their yearly rent; if tenants, in 25 *l. Scots*; and if cottars, in 12 *l. Scots*. *These* were peculiar severities. But the other part of this act, relating to *field-preaching*, was still more severe; for thereby it was ordained, that the minister or preacher be punished by death and confiscation of goods, and the fines for those present were to be twice as much as for house-meetings. And there

Remarks. are only these three things the reader is to observe, 1. That if any person should be without doors, when an ejected minister was preaching or praying in any house, that, by this act, was deemed a field-conventicle, and the penalties were the same. 2. Five hundred merks were appointed for those who should apprehend any of the preachers at field-meetings. 3. The sheriffs, stew-

arts

arts and lords of regalities, for their better encouragement, were allowed all the fines below heritors, &c. 1670. *W*
 for themselves. This act was to continue in force only three years, unless his majesty [or rather the prelates] should think fit to prolong it.

I shall leave the reader to make his own reflexions. The ministers who could not accept of the *indulgence* had now their sentence. Bishop Burnet says, 'that Sir *p. 292.*
Robert Murray told him, that the king was not well pleased with this act, as being extravagantly severe, chiefly in that of the preachers being to be punished by death. He said that bloody laws did no good, and that he never would have passed it if he had known it before hand. The half of the parliament abhorred this act; yet so abject were they in their submissions to *Lauderdale*, that the young earl of *Cassils* was the only person who voted in the negative.' This however did neither deter ministers from preaching, nor people from hearing, as we shall relate in the sequel. They chose to suffer rather than sin.

I shall say nothing of their act against disorderly baptisms *; but their 7th act against separation must not be omitted, because all his majesty's good subjects of the *reformed religion* are hereby commanded to frequent the ordinary meetings for divine worship in their own parish churches, under the penalties mentioned in the act in case of failure. Bishop Burnet says, 'that *Lauderdale*, with his own hands, put in a word in the act that covered the *papists*, the fines being laid on such of the *reformed religion* as went not to church. He pretended by this to merit with the *popish* party, with the duke of *York* in particular. *Lauderdale* told him, that he put in these words on design, to let the world know that they were to be worse used than the *papists* themselves.' And so it was in reality; for those of the *reformed religion* could neither in conscience attend on the worship of God in parish churches, nor yet refrain to attend upon ordinances where they could have them dispensed; and such was the dilemma they were reduced to, that they were exposed to the severities of the laws then made whatever course they took. Thus, in this short session of parliament, a large foundation was laid for a most severe persecution; the dismal consequences of it will be related in the sequel.

1670. On the 11th of *August* there was a decreet obtained by the advocate against Mr. *James Hamilton* late at *Blantyre*, Mr. *James Mitchel*, Mr. *James Porter*, Mr. *John Dickson* late at *Rutherglen*, and Mr. *John Blackadder* late at *Traquair*. They were charged for holding conventicles in houses and in the fields; and not appearing, when summoned, they were denounced and put to the horn, which obliged them to wander up and down the country, and preach in the fields as they had opportunity.

Mr Landafs. About the 15th of *August* Mr. *Robert Landafs*, for performing worship in a private family about a year before, was apprehended, and kept prisoner at *Edinburgh* for six weeks before he was set at liberty. And Mr.

* P. 177, *Hugh Peebles* * was brought before the council on the 28th of *August*. And though nothing could be proved against him, yet, because he would not engage not to keep conventicles, and refrain from preaching and worshipping God in any family but his own, was confined to *Dumbarton* and a mile round it. The same day the heritors of *Glasfurd* in *Lanerkshire* were fined in 1000*l.* Scots, because the curate's house had been robbed by thieves, some of whom, being afterwards apprehended for other crimes, confessed this robbery at their execution, and declared that there was not one person in the parish concerned.

This summer the laird of *Meldrum*, an officer of the guards, apprehended several good people in some parishes in the shire of *Renfrew*, for hearing the ejected ministers, and put them to no small trouble. Sundry other ministers were likewise harrassed; for, notwithstanding all the difficulties to which they were exposed, they could not but pity the crying necessities of the people who thirsted after the word, and their ministry was remarkably successful among them.

The purging committee. As all methods of severity were used to suppress the *presbyterians*, so attempts of another nature were made for accomplishing this end. Accordingly, when bishop *Leighton* entered upon the administration of the diocese of *Glasgow*, he received many complaints concerning the scandalous conduct of the clergy, and therefore appointed a committee of his underlings to receive these accusations, and the council ordered several to assist them. However, when this committee met in *September*, it was urged that none should be permitted

permitted to give in a complaint, till they had first signed the *declaration*, but, finding they had no legal authority to require this, the motion was dropt, and they fell upon another way to discourage complaints of this kind; for, if any failed in his proof, he was to appear in sackcloth before the congregation as a slanderer. Notwithstanding whereof, the proofs, in many cases, were so clear, that there was no avoiding the evidence. The incumbent of *Killellan* was deposed, and others removed from their charges: And particularly Mr. *Jaffrey* of *Maybole*, who had accused his parishioners *, was himself now accused of profane swearing, drunkenness, &c. and, when the committee was like to have discharged him, *Leighton* interposed his authority, and forbid him the exercise of his ministry in that parish. Notwithstanding this the purging committee was of little effect. 1670. ~* p. 268.

Another method taken to retrieve the credit of the clergy, and to cast a vail upon the *presbyterian* ministers, was the sending some of the most noted *episcopal* divines to the west, as doctor *Burnet*, Mr. *James Nairn*, Mr. *Laurence Charteris*, Mr. *James Aird*, Mr. *Patrick Cook*, and Mr. *Walter Paterson*, who were ironically termed by the country people, *The bishops* EVANGELISTS. It was expected these would have made proselytes of all the west, but they soon found themselves mistaken. Mr. *Burnet* says, in his history, the people of the country came generally to hear us, though not in great crouds. We were indeed amazed to see a poor commonalty so capable to argue upon the points of government, and on the bounds to be set to the power of princes in matters of religion. This measure of knowledge was spread among the meanest of them, their cottagers and servants. The *bishops* evangelists. p. 293.

The last attempt bishop *Leighton* made was the accommodation proposed to sundry *presbyterian* ministers, about the end of this year, with a view to draw them into an unperceived subjection to *prelacy*; but the snare was seen and avoided. *Lauderdale*, at *Leighton's* desire, wrote to messieurs *Hutchison*, *Wedderburn*, *Ramsay*, *Baird* and *Gemble*, to meet him at *Edinburgh* on the 9th of *August*, which they did. And, upon hearing the proposals, they replied, that, as these were of a general concern, they could not give their private judgment without consulting their brethren. They farther desired The accommodation. commo-

1670. fired the propofals might be given in writing, which the bishop promised to do, but did not perform. However, the commissioner allowed *presbyterian* ministers, *indulged* and *not indulged*, to meet among themselves, and gave them till the first of *November* to think of an answer.

Propofals. The ministers, meeting among themselves, put the propofals in this shape, to be communicated to their brethren. ‘*Presbyteries* being set up by law as they were established before the year 1638. and the bishop passing from his negative voice, and we having liberty to protest and declare against any remainder of *prelatick* power retained, or that may happen at any time to be exercised by him, for a salvo for our consciences from homologation thereof; *queritur*, whether we can, with safety to our consciences and principles, join in these *presbyteries*? or what else it is we will desire or do for peace in the church, and an accommodation, *episcopacy* being always preserved?’ Accordingly, at a numerous meeting of ministers, it was unanimously agreed, that the above concessions were not sufficient to be a foundation for their sitting and acting in *presbyteries* and *synods* with the *prelates*; for they justly reckoned this accommodation inconsistent with their principles. They could not comply with this without complying with *episcopacy* itself, and owning the king’s ecclesiastical *supremacy*, which was established by law.

A conference.

On the 14th of *December* bishop *Leighton*, the provost of *Glasgow*, Sir *John Harper* of *Camnethan*, Mr. *Gilbert Burnet*, and Mr. *James Ramsay* dean of *Glasgow*, met with about 26 *presbyterian* ministers, *indulged* and *not indulged*, at *Ayr*; at which a conference began concerning the power of bishops; and Mr. *Alexander Jamison* reasoned so closely with *Leighton* on that point, that he became very uneasy, his nose fell a-bleeding, and he was obliged to retire for a little. And when several others were inclined to enter the lists with him and professor *Burnet*, they were told that the meeting was not for debates. The meeting was adjourned till next day, when, receiving farther propofals, they got till the 12th of *January* to consider of them. In the mean time the ministers, observing that the *last* were more unsatisfactory than the *first*, appointed messieurs *Hutchison*,

Hutchison, Wedderburn, &c. to repair to *Edinburgh*, and deliver in their answers in writing. 1671.

Accordingly these ministers got to *Edinburgh* by the 11th of *January* 1671. where they found the chancellor, duke *Hamilton*, earl of *Tweeddale*, and some other counsellors, with bishop *Leighton* and professor *Burnet*. There were two meetings at *Holy-rood-house*, besides several private conferences. And in short the ministers gave in their reasons why the proposals were not satisfactory. At one of these meetings *Leighton* offered a dispute with them, which Mr. *Hutchison* modestly declined, observing that he was not safe to dispute against *episcopacy*, considering the laws in force against speaking or writing in opposition to it. The professor insulted upon this; whereupon Mr. *Wedderburn* accepted the challenge, if the chancellor and counsellors present would allow him; but that not being granted the accommodation broke up.

About the beginning of this year Sir *James Dalrymple* of *Stair* was admitted a privy-counsellor. On the 12th of *January* the council fell foul on that noted book, intitled, *Jus populi vindicatum*, and on the 16th of *February* published a proclamation, ordering all who shall have any copies of it in their custody, after such a limited time, to be fined in 10,000 merks. The same day colonel *Gilbert Ker*, who had left the kingdom since the restoration, got liberty to reside in *Scotland*.

When the accommodation was at an end, the *presbyterian* ministers were represented as obstinate and unreasonable men. Bishop *Burnet* says, that their behaviour disgusted all wise, moderate and good men, when they rejected propositions that came so home even to the maxims they themselves had set up. But in this he was mistaken; because there was nothing offered in the proposals that was inconsistent with *prelacy*; neither could *presbyterian* ministers yield to them, without renouncing their known principles and submitting to the *hierarchy*.

However, the council upon this made an act, the 26th of *January*, confining all the indulged ministers to their respective parishes, who would not keep *presbyteries* and *synods*, those namely which were held by the bishops, insomuch that Mr. *John Bell*, minister at *Ardrossan*, durst not go to visit his dying father, though with-

Accommodation at an end.

Jus populi vindicatum.

Presbyterian ministers censured.

Act of council.

in

1671. in a mile of him, without a special order from the council. Some indeed received more favour than others. But as none of them kept the 29th of *May* according to act of parliament, and as they generally kept up the practice of *lecturing*, they were exposed to no small hardships, and it was with difficulty they could get their stipends.

Troubles
of the e-
jected mi-
nisters.

But the ejected ministers who were not indulged were exposed to still greater hardships; for such of them who resided in the parishes where *episcopal* ministers were settled, were ordered either to keep their parish churches, or remove with their families elsewhere; and not a few were brought to trouble for baptizing children.

Mr.

Menzies.

Mr. *John Menzies*, minister at *Carlaverock*, having been obliged to appear before the commissioner, was confined to his own chamber at *Edinburgh*. When he had continued there for some time, without any notice being taken of him, he went home and preached to his people: Whereupon the council, finding he had broke his confinement, ordered him to appear before them upon pain of rebellion. But what was the consequence of this I do not find.

Mean while the advocate pressed for severity against conventicles. Accordingly, on the 2d of *March*, the council appointed a committee to consider what was farther to be done for suppressing them, but what they did this year is not known; only, on the 7th of *March*, the sureties for messieurs *Hastie*, *Stobie*, *Adam*, &c*. were ordered to produce these persons; and when they appeared before the council, they were commanded to attend the first meeting in *May*, but there is no more concerning them.

p. 271.

Several gentlemen were likewise brought to much trouble; for, on the 2d of *March*, Sir *Charles Erskine*, lord *Lyon*, got a commission from the lords of the treasury to enter upon the estates, &c. of such as were forfeited for the rebellion 1666. in the shires of *Dumfries*, *Wigtoun*, and stewartry of *Kirkcudbright*; and though Mr. *George MacCartney* of *Blaiket* was neither at *Pentland*, nor forfeited on that account, yet, some way or another, his name having been inserted, none of them suffered more than he. His father was fined in *Middleton's* parliament, and otherways harrassed, and himself suffered exceedingly before this by fines, exactions, and depredations; and refusing this year to compound for his estate.

state with lord *Lyon*, he was carried in prisoner to *Edinburgh*. 1671. After some time, it being found that he had been neither forfeited, nor *excepted*, he was ordered his liberty upon giving bond to appear when called; nevertheless he was by ways and means detained in prison for the space of six years, during which time his estate was seized and his lands laid waste, so that his losses, during this time of persecution, amounted to no less than 9827 L. 16 s.

Mr. *Cunningham* of *Bedlane* * was continued prisoner Mr. *Cuning-* in *Dumbarton* castle, only got liberty to ride out some ham, &c. miles every day for his health, on giving a bond for * p. 246. 10,000 merks to return to the castle at night. *Kerland*, his fellow-prisoner †, petitioned the council, on the † p. 266. 5th of *September*, to be sent to some place more commodious for the education of his children. Accordingly he was ordered to *Aberdeen*, where he was kept close prisoner in a cold room for three months, without being allowed a fire; and in the month of *December* he was brought from *Aberdeen*, and committed to the castle of *Stirling*, where he continued several years, of whom more will be related afterwards.

Under all this severity towards protestant non-conformists popery sensibly increased; swarms of priests came of popery over with large cargoes of *relics*, *pictures*, *beads*, and such like *trumpery*, and vast numbers of father *Turbevill's* manual of controversies were industriously dispersed. It is true the council in *August* ordered four *popish* priests to be apprehended, and appointed *Argyll* and the lord register to seize some *popish* books and *trinkets* that were in a ship lately come to *Leith*. Some *episcopal* ministers in the north, where *popery* was barefaced, did also appear against it, particularly Mr. *John Menzies* at *Aberdeen*. But though several representations were made upon this point, yet little regard was had to them at the council-board, where *Sharp* had the impudence to say one day, that *his majesty's* government was by far in *Sharp's* greater hazard from presbyterians than papists; and that *declarati-* it was his opinion the council ought to look more narrowly to on. presbyterian meetings, in which they were very slack, although the great danger lay there.

If the primate was let into the secret intrigues carrying Remarks. on at this time, it is likely he spoke what he thought to Rapin, be matter of fact; for the king had formed a design to V. II p. render himself absolute, and to overturn the protestant 655, &c. religion;

1671. religion; and, as he could not communicate his intentions with safety to his whole council, he established a cabinet-council of five persons only, viz. *Clifford, Arlington, Buckingham, Ashley and Lauderdale*. The initial letters of these five names composing the word *CABAL*, this secret council was from thence called by that name. If to these we add the king and the duke of York, it will be found that all the seven were for arbitrary government. And as to religion, the king, the duke, *Arlington* and *Clifford* were papists, and the other three of no religion at all. In this cabal, as father *Orleans* has declared, a war with the *Dutch* was resolved. The abbot *Primi* tells us, at the same time, that 'king *Charles* signed a private treaty with *France*, and, and to give him farther assurances in that matter, *Henrietta* of *England*, dutchess of *Orleans*, king *Charles's* sister, went to *England* 1670. and, in the name of the most christian king, made a proposal to her royal brother, of insuring to him an absolute authority over his parliament, and re-establishing the catholick religion in the three kingdoms; but that, in order to this, there was a necessity of lowering the pride and power of the *Dutch*, and reducing that state to the narrow compass of the province of *Holland*, &c.' It is not my business to enter into these intrigues; it is sufficient to my purpose to observe that a design was now on foot to subvert the protestant religion; and if the managers in *Scotland* were privy to it, we need not wonder at their lenity to papists and severity to presbyterians.

About the end of this year the laird of *Lee* was made justice-clerk, and *Lauderdale* captain of the *Bass*, which the king bought and turned into a prison; and indeed *Lauderdale* and his friends at this time possessed all the chief posts in *Scotland*. But leaving these things,

1672. I now go on to the transactions of the year 1672. about the beginning of which Mr. *Ramsay*, the episcopal incumbent of *Auchinleck*, happened to have his house robbed in the night-time, whereupon the council, on the 23d of *January*, gave a commission 'to some officers of the army, in that neighbourhood, to hold courts, call witnesses, and examine into the affair, and to fine the absent heritors in 200 l. tenants in 40 l. and cottars in 10 l. and each woman according to the quality of her husband, dead or alive.' So that here a justiciary power was lodged in the military officers.

Two

Two days after this *Gordon of Dundee* in *Galloway* got 1672. up a bond of 600 merks, which had been extorted from him by *Sir William Bannantyne*.

The persecution against conventicles still went on; *Order a- gainst con- venticles.* for the council being informed that several were kept in *Glasgow*, ordered, on the 22d of *February*, the magistrates of that city to suppress them, and to enjoin all the ejected ministers, either to attend the church, or remove out of the town, which put many of them to no small difficulties.

The same day the learned and pious Mr. *Alexander Carmichael*, having been apprehended at *Kirkaldy*, and brought in prisoner to *Edinburgh*, was before the council for keeping conventicles, and on the 26th was ordered to be transported by sea to *London*, where he was singularly useful, and finished his course with joy 1676 or 1677. This excellent person is well known to the world by his accurate treatise on *mortification*, published at *London* after his death 1677. His brother Mr. *John Carmichael* and he had for some time conformed, but, discovering their error, quitted their livings and joined their suffering brethren.

In *March* many of the ejected ministers about *Edinburgh* were obliged to leave the town, and go they knew not whither. However, several of them at this time got to their rest out of the reach of all their enemies, as Mr. *Walter Greig*, Mr. *David Ferral*, and Mr. *Robert Douglas*.

On the 15th of *March* his majesty's declaration of indulgence to the non-conformists in *England*, which had been communicated to and approved of by the *French* king, was published, in which the penal laws against all sort of non-conformists were suspended; and though the papists were not to have publick places for worship, yet they were allowed the exercise of their worship in private houses. The protestant non-conformists, though they had now liberty granted them, had no opinion of the dispensing power. They were sensible the indulgence was not granted out of love to them, nor would continue any longer than it served the interest of popery. But the breaking out of the *Dutch* war made the court think it necessary to grant them an indulgence, that there might be peace at home while there was war abroad.

1672. Two days after this the king published his *declaration of war* against the *States*, dated the 17th of *March*, and the like was published by the *French* king at *Paris*, who in the beginning of *May* assembled an army of 120,000 men, and with a rapid fury over-run the greatest part of the *Netherlands*; and the *Dutch* were reduced to such extremities, that the populace rose, and having obliged the *States* to make the young Prince of *ORANGE* *stadtholder*, they fell upon the two brothers *Cornelius* and *John De Wits*, and tore them to pieces. This Prince, by the blessing of God, was raised up, in that time of extremity, to check the progress of the *French* arms, and disconcert the measures that had been formed, not only for ruining his country, but also for subverting the *protestant* religion, and establishing *popery* and *arbitrary power*.

Burnet. At this time lord-keeper *Bridgeman* lost all credit at court; for he refused to put the seal to the *indulgence*, as judging it *contrary to law*; so he was dismissed; and *Shaftsbury* was made chancellor, *Clifford* treasurer, *Arlington* had a garter and was made an earl; and *Lauderdale* had a garter and was made a duke on the 2d of *May*. All the members of the *cabal* had great presents from *France*, and the *French* ambassador gave each of them a picture of the king of *France* set in diamonds to the value of 3000 *L. sterling*. And thus, to use the words of a noted historian, was the nation and our religion, as well as the king's faith and honour, set to sale and sold. But to return to *Scotland*, the managers there took no notice of these things, but carried on their persecution against the *presbyterians*.

Acts of parliament. In the month of *June* the parliament sat down at *Edinburgh*, and made several persecuting acts. By their first none were to be officers of the militia but *episcopalians*; both officers and soldiers were to take the oath of *allegiance* and *declaration*, and upon refusal to be imprisoned and banished. By their 9th act, *against unlawful ordinations*, none were to ordain to the ministry who were not authorised by law; all *pretended* ordinations since 1661. were declared to be void and null. The ordainers and ordained, contrary to this act, were to be imprisoned and banished by the council; and persons married by such were denuded of all they could claim *jure mariti vel relictæ*, &c. By the 11th act, *about baptisms*, it was ordained, 'That every person who wants a certificate, from the minister of the parish where he lives, that

‘ that his child was baptized within thirty days of its birth, shall be fined, heritors in a fourth part of their yearly valued rent, merchants 100*l. Scots*, &c.’ By the 12th act, all who do not observe the anniversary of his majesty’s restoration were ordered to be fined, and otherways punished, according to their condition and estate *. By their 17th act, the acts passed in the last session, concerning *conventicles* and withdrawing from publick ordinances, are to continue in force for three years after the expiration of the time limited by these acts. The last act of this session was against *prophaneness*, and was an excellent act, had it been only put in execution; but the *ecclesiastick* gentlemen had something else to mind.

1672.

p. 76.

During this session of parliament a great many were imprisoned, fined, and denounced on account of *conventicles*: Accordingly, on the 11th of July, Mr. Patrick Hay laird of Lees was ordered to be confined to his chamber at Edinburgh, and Mr. James Mercer, governor to the laird of Meggins, to be confined to the town. His pupil Mr. John Drummond of Meggins younger, Alexander Christie and Thomas Keltie merchants in Perth, were ordered to be carried prisoners to the tolbooth of Edinburgh. Those who were at this time summoned, and did not appear, who were not a few, were denounced and put to the horn. On the 14th Meggins elder was fined in 500 *L. sterling* for his lady’s being at a conventicle, and his son, the said Mr. Drummond, was imprisoned till his father should pay the fine. At the same time the said Alexander Christie and Thomas Keltie were fined in 500 merks *Scots* each, the laird of Lees in 1000 merks, and George Hay of Balhousie, afterwards earl of Kinnoul, in 1000 *L. sterling*; and all of them to remain in prison till their fines were paid. On the 24th of July, Anne countess of Wigtoun, an excellent widow lady, was obliged to appear personally before the council, and, upon owning her being at a conventicle in the house of Boghall, was fined in 4000 merks. Mr. James Duncan at Duplin, for being at another at the bridge of Earn, was fined in 2000 merks, and the following persons were imprisoned, viz. James Crichton, John Dalziel, James Paterson, William Cleghorn, Malcolm Brown, Peter Gilles, Thomas Crichton, James Glasgow, James Lindsay, James Thomson, James Forrest, John Newbigging, John Hutchison, and

Persecuti-
on for con-
venticles.

1672. and *Malcolm Gibson*. They who did not appear were denounced. Such was the mildness of this administration !

* p. 266. During these proceedings against conventicles, on the 13th of July Mr. *John Rae* and Mr. *Hugh Archbald* * were sent from *Stirling-castle* to *Dumbarton*, along with

† p. 246. Mr. *John Cunningham* of *Bedlane* †. The same day Mr. *John Scot*, son to *Andrew Scot* in *Tusbilaw*, having been imprisoned for writing to the reverend Mr. *John Carstairs* in *Holland*, was brought before the council, and after examination was set at liberty upon a bond of 1000 merks to appear when called. From this bishop

p. 279. *Burnet* would make the world believe that there were designs in *Holland* to raise a rebellion in *Scotland*. His words are these : ‘ That which gave duke *Lauderdale* ‘ juster ground of offence was, that one *Carstairs*, much ‘ employed at that time in greater matters, was taken ‘ in a ship that came from *Roterdam*. He himself escaped out of their hands, but his letters were taken. ‘ They had a great deal writ in white ink, which shewed that the design of sending him over was to know in ‘ what disposition the people were, promising arms and ‘ other necessaries if they were in a condition to give ‘ the government any disturbance. But the whole was ‘ so darkly writ, much being referred to the bearer, ‘ that it was not possible to understand what lay hid ‘ under so many mysterious expressions.’ This must be a very dark story indeed. It is true Mr. *Scot* was imprisoned for corresponding with Mr. *Carstairs*, as, after the beginning of the *Dutch* war, sundry, amongst whom was Mr. *William Livingston*, were brought to trouble for writing to their friends in *Holland*. But there is no ground to assert that there were any such designs as the bishop represents ; neither is that historian obliged to his information, when he says that Mr. *Carstairs* escaped out of their hands. When he came home, he did not seek to escape, but on the 3d of *September* this year appeared before the council, and found bail to appear again when called, under the penalty of 2000 merks ; after which I find little more concerning him.

Another indulgence designed. As a second INDULGENCE was granted on the 3d of *September*, I shall now give some account of it. When *Lauderdale* came down to *Scotland*, it was generally said he had one in his pocket. And as a toleration had been granted to the non-conformists in *England*,

land, the like favour was expected in Scotland, exclusive of *papists*; but the bishops and lords of council that were of their party violently opposed it, and many letters were writ to the court against it. However, *Lauderdale* had full instructions in this matter, though he kept them close, and carried with great rigour to *presbyterian* ministers and others. Bishop *Burnet* says, *Lauderdale* looked on near two months after he came down to Scotland, waiting for an application for *liberty of conscience*; but the designs of the court were now clearly seen into. The *presbyterians* understood they were only to be made use of in order to the introducing of *popery*; so they resolved to be silent and passive: Upon this he broke out into fury and rage against them, and carried matters so far, that when *Burnet* asked him, Was that a time to drive them into rebellion? Yes, said he: Would to God they would rebel, that so he might bring over an army of Irish *papists* to cut all their throats.---But, says the historian, he calmed all of a sudden. 1672. ~~~~~ p. 340. p. 341.

About 20 ministers met at *Edinburgh* on the 8th of *August*, and agreed to write to Sir *James Dalrymple* of *Stair*, now a privy-counsellor, on whom they had great dependence, that the terms of the *indulgence* might be free from straitning conditions. But, as they could not agree upon the contents of the letter, they next resolved to send two of their number to represent their case to *Stair*. Accordingly Mr. *Gabriel Cunningham* and Mr. *James Kirkton* waited upon him, and received very kind assurances that he would do what he could for them. Ministers meet.

Mean while, on the 29th of *August*, Mr. *John Spreul* * petitioned the council for his liberty, since he had submitted to banishment for eight years, and, having come home for his health, had been taken up for *conventicles*, tho' he had never been at any. His petition was granted upon giving bond and security to appear when called under the penalty of 2000 merks. The same day Mr. *Hugh Archbald* and Mr. *John Murray* were set at liberty, only the former was confined to the parish of *Galsoun* in the shire of *Ayr*, and the latter to that of *Queensferry*, and both were ordered to abstain from *conventicles*. Some set at liberty. * p. 69, 172.

At length, on the 3d of *September*, being the Lord's day, the council came to a determination as to the *indulgence*, and made the following acts. Second indulgence.

Holy-

1672.

History of
indul-
gence,
P. 35.

He was
baptized
by the
name of
Daniel.
He did not
accept.

THE lord commissioner his grace, and the lords of his majesty's privy council, considering the disorders which have lately been by the frequent and numerous conventicles, and being willing to remedy so great an evil in the gentlest manner that could be thought on, and his majesty's commissioner being sufficiently instructed herein, they do order and appoint the ministers hereafter named, outed since the year 1661. to repair to the parishes following, and to remain therein *confined*, permitting and allowing them to preach and exercise the other parts of their ministerial function in the parishes to which they are or shall be *confined* by this present act and commission after specified, *viz.*—

PAISLEY.—In Eglisham parish, with Mr. James Hamilton, Mr. † Donald Cargill. Paisley, with Mr. John Baird, masters William Eccles and Anthony Shaw. Neillstoun, masters Andrew Miller and James Wallace. Kilmacolm, masters Patrick Simpson and William Thomson. Kilbarchan, masters John Stirling and James Walkinshaw. Killellan, masters James Hutchison and Alexander Jamieson.—IRWIN.—Newmills, masters John Burnet and George Campbell. Fenwick, masters Thomas Wylie and William Shiels. Stewartoun, masters William Castlelaw, Andrew Hutchison, and Andrew Mortoun. Dunlop, masters Gabriel Cunningham and William Mein. Largs, masters John Wallace and Alexander Gordon. Kilbride, masters Robert Boyd and Gilbert Hamilton. Comray, masters Archibald Porteous and John Rae. Kilwinning, with Mr. Ralph Roger, Mr. Robert Fleeming. Irwin, with Mr. George Hutchison, Mr. John Law. Kilmarnock, with Mr. Alexander Wedderburn, masters James Rowat and William Hay. Kilmawers, with Mr. George Ramsay, Mr. John Park. Dreghorn, with Mr. John Spalding, Mr. James Donaldson. Beith, with Mr. William Maitland, Mr. William Crichton. Kilbirny, with Mr. William Tullidaff, Mr. Patrick Anderson. Ardrossin, with Mr. John Bell, Mr. James Bell.—AYR.—Cultoun, Mr. William Fullerton. Riccartoun, masters Hugh Campbell and Hugh Crawford. Dundonald, masters John Osburn and John Hutchison. Mauchlin, with Mr. James Veitch, Mr. Robert Archbald. Ochiltree, with Mr. Robert Miller, Mr. Patrick Peacock. Galsstoun, with Mr. Alexander Blair,

Blair, Mr. Adam Alison. Craigie, with Mr. Dav. Brown, 1672.
 Mr. Robert Maxwell. Dalganle, with Mr. Andrew Dal-
 rymple, Mr. John Campbel. Symington, with Mr. John
 Gemble, Mr. Francis Irvine. --- KIRKCUDBRIGHT ---
 Carstairs, masters John Semple and William Erskine.
 Kells, with Mr. Cant, Mr. George Wauch. Dalry, with
 Mr. John MacMichan, Mr. Thomas Thomson. Balma-
 ccllan, masters James Lawrie and Thomas Vernor *, in
 place of John Ross when he shall be transported to Sto-
 ny-kirk. --- HAMILTON. --- Avendale, masters
 James Hamilton and Robert Young. Glasford, masters
 William Hamilton and James Nasmith. Shots, masters
 James Currie and Alexander Barton. Dalserfe, masters
 Thomas Kirkaldy and John Carmichael. Stonehouse,
 with Mr. John Oliphant, Mr. Matthew MacKell. Cam-
 busnethan, with Mr. William Violant, Mr. Robert
 Lamb. Dalziel, with Mr. John Lawder, Mr. Thomas
 Melvil. --- LANERK. --- Carlouk, masters Alexander
 Livingston and Peter Kid, now at Carlouk. Car-
 michael, masters John Hamilton and Will. Somervell.
 Culter, masters Anthony Murray and Robert Lockhart.
 Lamington, with Mr. John Crawford, Mr. William
 Bailie. Lesmahago, with Mr. Thomas Lawrie a regu-
 lar incumbent, Mr. James Balderstones. Carstairs, ma-
 sters James Kirkton and John Greg. --- LINLITHGOW.
 --- West-calder, masters John Knox and William
 Weir. Borrowstouness, masters Robert Hunter and
 John Inglis. --- LOTHIAN, &c. --- Lintoun,
 with Mr. Robert Elliot, Mr. Robert Elliot his son.
 Oxnam, with Mr. John Scot, Mr. Hugh Scot. How-
 nam, with Mr. John Stirling, Mr. --- Ker. --- ARGYLE.
 --- Killern, masters Cunninison and Alexander MacLean.
 Kilsfannan, Mr. John Cameron. Campbelton, masters
 Duncan Campbel and Edward Keith. Kilchattan in
 Lorn, masters J. Duncanson and A. MacLean. Knapdale,
 with Mr. Dougal Campbel a regular incumbent, Mr.
 Duncan Campbel. South Kintyre, Mr. David Simpson.

* And yet, notwithstanding the said confinement, the
 lord commissioner his grace, &c. give full power ---
 to the lord chancellor, &c. or any four of them, to al-
 ter any of the persons foresaid from any of the said pa-
 rishes, to another of those parishes, or to allow and con-
 fine other persons in their places, they always pitching
 --- on some outed ministers from that diocese, where-
 in the parishes, to which they are to be confined, do lie;

1672. and allowing none to preach who were outed before 1662. or, being outed since 1661. are under — sentences of any court of this kingdom; with power to the said commissioners, or their *quorum*, to confine to and allow outed ministers in the parishes of *Tarbolton, Barnwell, Stevenson, Lochwinnoch, Inchinnen* and *Mearns*; and that so soon as the present incumbents in these parishes shall be provided and transported to other kirks. Recommending to patrons to give them presentation at kirks that shall vaik; and particularly to — patron of the kirk of *Galashiels*, to give a presentation thereto to Mr. *Alexander George*; to — patron of the kirk of *Burghton*, to present thereto Mr. *William Nasmyth*; to — patron of the kirk of *Maclue*, to present Mr. *Robert Kincaid*; to — patron of *Gartney* to present Mr. — *Stuart* —. The rest of this act relates to the stipends, and gives assurance to the *episcopal* clergy that no more shall be indulged.

Rules to
be observ-
ed.

The same day the council made another act containing the rules to be observed by all who were *indulged*. As 1. They must not marry or baptize except those who belong to their respective parishes, or to any neighbouring parishes if vacant. 2. They must administer the Lord's supper on one and the same day, and admit none to partake with them from other parishes, without a certificate from the ministers thereof. 3. They must preach only in the church, under the pain of being punished as *keepers of conventicles*. 4. They must not go out of their parishes without a licence from the bishop of the diocese only. 5. That, as to discipline, all such cases as were formerly referable to presbyteries must continue still in the same manner; and where there is no *presbyterial* meeting, that these cases be referred to the presbytery of the next bounds. 6. That the ordinary dues payable to bursters, clerks of presbyteries and synods, be paid by the said ministers as formerly.

There was a 3d act of council made the same day, relating to the rest of the *ejected* ministers not as yet *indulged*, by which they were required to hear the word, and communicate in those parish churches where they resided, or else to remove to some other parishes, where they can hear and communicate, under the pain of imprisonment. This act discharged all other *presbyterian* ministers, except the *indulged*, from exercising any part of the ministerial function, under what punishment the council

council shall think proper to inflict; and the sheriffs and other magistrates were commanded to examine into the conduct of the *indulged*, with respect to their observing the rules above mentioned, and make report every six months, and some time before the first of June ensuing.

1672.

When the account of these acts came abroad, many ministers were dissatisfied. And at a meeting of about 13, which was held at *Edinburgh* about a day or two after, it was proposed, and all the brethren present declared themselves against it. But this being found to be a matter of general concern, another meeting was appointed for the 24th of *September*, and letters were sent to several ministers in the country to attend and deliver their sentiments as to this matter.

Mean while, as one great design of the *indulgence* was the suppressing of *conventicles*, so, on the 16th, 'the commissioner and council gave a warrant to the lord chancellor, the archbishop of *St. Andrews*, duke *Hamilton*, the earls of *Argyll*, *Athol*, *Tweeddale*, *Kincardin* and *Dundonald*, the president, register, advocate, treasurer-depute, justice-clerk, or any four of them, to meet and give proper orders for executing the acts of council against the *outed* ministers, and for preventing and suppressing *conventicles* and other disturbances of the public peace of the church, with power to call persons before them, commit them to prison, and do all things necessary for these ends. In difficult cases they are to consult with the council.' But I can give no account of their proceedings.

Commission concerning conventicles.

To return then to the meeting of ministers at *Edinburgh* the 24th of *September*, 32 met in Mr. *Thomas Hogg's* room, and agreed that every one should declare his opinion at the next meeting. Being again assembled at an after meeting, Mr. *John Inglis* was chosen moderator. When the question was put, Whether it was the duty of ministers to go and exercise their ministry at their churches? four were of opinion that ministers ought to go to their churches when they had once given their testimony against what was *wrong* in the *indulgence*, two were undetermined, and the rest present were in the negative.

Meetings of ministers.

When copies of the council's acts came to the west, there were sundry meetings; and many were for accepting of the *indulgence* providing a sufficient testimony were

1672. were given against the *erastianism* thereof. They all agreed, that but one minister ought to go to one parish, except in those places where formerly there had been two. There were great debates concerning the testimony to be given in to the state. At last Mr. *William Violant* and Mr. *Alexander Wedderburn* were appointed to draw up a paper to this purpose. They complied, and their paper, after some amendments, was generally liked at a meeting held at *Irwin* in the month of *October*. I shall give the reader the following abstract of it.

Grievances as to the indulgence.

Grievances as to the indulgence.
I. ' **W** E the ministers of Jesus Christ, who have been debarred from our respective flocks ——— and restrained from the free exercise of our ministry these many years, do, with all thankfulness, acknowledge his most excellent majesty's royal favour in granting to some of us the publick exercise of our ministry; — yet considering the offered *indulgence*, as contrived in the complex, and cast in its present mould in three acts of council, to be clogged with many involvements contrary to our principles and consciences, and with many inconveniences as to our persons and families, and to the congregations both from which we are separated and to which we are assigned, we are exceedingly straitned in our liberty to accept of the same, — because the whole draught ——— appears to be nothing but the actual exercise of *erastianism*, in so far as the council is pleased, not only to dispose of persons and places, but to make application of persons to places for the exercise of their ministry, as if it were proper to the magistrate to judge of the spiritual state and condition of the people, of the qualifications of ministers, — and to form and prescribe rules; — so that the ——— yielding to these acts may be interpreted an homologating with and subjecting ourselves to *erastianism*, contrary to our known judgments in these matters.

II. Though we disallow all tumultuary and seditious meetings, which the meetings of the Lord's people for hearing his word cannot be reputed, — we are not a little grieved that the narrative of this present act seems to involve the accepters into an interpretative condemning of the same, which we dare not.

III. Albeit there be a very great necessity of a free call from the people, — yet the *indulgence*, as contrived, deprives the people of the liberty of a free election, in

in so far as ministers are designed for them, and, by 1672. the council's act, preremptorily confined to the parishes, without so much as the previous knowledge of the people; and so a necessity is laid upon the people, either to call the confined, or want a minister.

IV. This way offers violence to that special relation that is between pastors and people, — so that ministers formerly by violence pulled away from their flocks, — are still kept divorced from one another, though this union and relation, being made up only by Jesus Christ acting in and by his church, can never be regularly dissolved by any other authority — than that which made it.

V. This — will prove grievous to the most part of the kingdom. 1. In that their own pastors are, without necessity, shut up from them in a corner, at a time when *profanities*, *popery* and *quakerism* are — spreading through the land. — 2. In that the people will have several necessary duties to perform for the accommodation and encouragement of two, which they will judge needless, one being sufficient for the charge. — 3. It will prove afflicting to many brethren, in that, by it, they are obtruded upon other mens labours, without a necessity, to the detriment of the necessary maintenance of them and their families. —

VI. We acknowledge that the magistrate hath the power of confinement, and of all other — external punishments in *actu signato*, — but when he is to apply that power in *actu exercito*, — we humbly conceive that the law of God, — of nature, — of nations, and — of the land, requires an orderly procedure, and allows the party the benefit of defence. But here, 1. this sentence contains punishment against persons without citations or — conviction of any crime or guilt, the like whereof is not done to the grossest of ill-doers. 2. This sentence is drawn out, not against one person or two, but against all the *presbyterian* ministers in the kingdom, a very few excepted, which makes the practice without — a precedent in any reformed church. 3. The acts carry not only a *confinement* of our persons, — but of our *ministry*, and we are hereby — bound up from the discharge of those duties we owe to our national church, and deprived not only of all benefit of mutual converse — in *presbyteries*, but also of more *private* communion with one another: — All which are — the more grievous to us, as they

1672. they are trylled at a time when *papists* and *quakers* are so vigorously driving on their designs, without---any real or effectual restraint put upon them.---Tho' we know our *confinement* will put no stain upon us in the account of many---people,---yet the nature and tendency of it is weakening to the necessary reputation of ministers of Christ among the people, in that, by the same breath, ministers are permitted---to preach, and yet sentenced as evil-doers.-----And all who get not a call from the people---will be exposed to far greater difficulties and sufferings than formerly.---

VII. The declaration, in the close of the first act, will prove a grievous---stroke to the peaceably disposed people of the kingdom, who have been longing for their pastors,---when by it they shall see all hopes cut off of ever recovering them again.

VIII. We will not fall on a particular consideration of the rules of the 2d act,---which we cannot approve of, unless we would renounce our principles.---All of them appear to be framed in favour of the *conformed* party, and to the disadvantage both of ministers and people of the *presbyterian* persuasion.---And as the whole draught is,---at least, an *interpretative* subjection to *erastianism*, so the fifth and last rules, but especially the fifth, thrusts us under a *direct* and *formal* subjection to *prelacy*.---

IX. We shall not mention how this is disrelished by the most part---who---adhere to the pure government of the church of *Scotland*; but the peremptory order given to sheriffs and magistrates, to inquire how the ministers confined and allowed to preach do observe these rules, shews that the ministers who fail-----will be undoubtedly censured, according to their supposed demerits, and we, being straitned in our conscience to give obedience to these canons, judge it will be---provoking to the magistrate, prejudicial to the people, and hurtful to ourselves, to step in, and within a short time to be thrust out again for our contravention.

They conclude with a humble request for the removal of the penal statutes, and for liberty without such restraints as are burdensom to their consciences and inconsistent with their principles.

Debates
concerning
a testi-
mony.

About the end of *October*, Mr. *Gabriel Cuninghame* with some others were sent to *Edinburgh* with this paper, to see if the brethren in the east, who appeared most

most averse to the *indulgence*, would concur with them 1672. in it. When Mr. *Cunningham* presented it to them, they who were against the *indulgence* took it for a paper of reasons why the *indulgence* should not be complied with, and so it became the subject of debate. But viewing it more narrowly, and finding that it was a complaint of grievances, upon the presenting of which to the council the complainers resolved to comply with the *indulgence*, the meeting divided upon it. They that were against the *indulgence* said, that this was but a smooth way to help forward ministers who were clear to their churches. The others complained that the other party would not join with them in a *testimony* against what both reckoned sinful in the manner of granting the *indulgence*. They who could not comply answered, they were willing to testify jointly with them against what evils appeared in the *indulgence*, providing all would stand out and not accept. Sundry meetings were spent in these debates. Their last meeting was on the 23d of *December*, when they came to no agreement, so that the above paper was dropt. A good number of the ministers entred into the churches where they had been formerly, and others upon a call, where the congregation was vacant, with the consent of the ministers of the bounds. And, since all hopes of a joint testimony was lost, several gave it from the pulpit upon their first entrance, declaring against the *erastianism* in the *indulgence*. And some of them fell under no small difficulties on this head, as we shall relate in its proper place.

During these debates, on the 5th of *December*, *William Porterfield* of *Quarreltoun*, having been a long time in prison for his accession to *Pentland*, petitioned for liberty on account of his indisposition and the great poverty to which he was reduced. He was accordingly sent from *Edinburgh* prison to *Dunbarton* castle, and was suffered to go abroad in the day time upon giving bond and security under 10,000 merks to repair to the castle every night. During the last year and this, the lands of *Barscob* and those of Mr. *Gabr. Maxwell*, with the estates of *Rugland* and *Bedlane*, were all forfeited on account of *Pentland*.

William
Porter-
field of
Quarrel-
toun.

Several meaner persons suffered during the course of this year. A poor parishioner of *Abbotsrule* was taken to be a soldier for not hearing the *curate*, and upon refusing was fined in 100 l. Scots. *John Ranken* and *James Dunlop*

1672. *Dunlop* in *Eglisbam*, *James Brown* in *Muirzet*, and *John Foulis* in *Mearns*, were brought in prisoners to *Edinburgh* for alledged corresponding with and receiving of some concerned in riots upon ministers. The earls of *Dumfries* and *Dundonald* were appointed to examine into the affair.

1673. Matters were managed much the same way through the year 1673. But such was the partiality of the times to some, that though *Mr. Archibald Beeth*, curate in *Arran*, had shot one *Allan Gardiner* Merchant in *Irvine*, for which he was condemned to be hanged at the cross of *Edinburgh*, yet he was pardoned, and his remission read in council on the 9th of *January*.

Accurate pardoned for murder.
Hist. of indul. p. 54. On the 6th of *February* the council, in consequence of a petition from *Mr. Robert Hunter* now minister at *Borrowstonness*, ordered the stipend of the parish of *Dunning*, for the two last years which he served in that parish, to be paid him, and that letters of horning be directed for that effect.

On the 20th of that month they ordered the chancellor for *Fife*, and duke *Hamilton* for the west country, to inquire what magistrates and councillors for burghs had not signed the declaration; and on the 7th of *March*, upon receiving a complaint that *Mr. Row*, who had been translated from *Balmaclellan* to the parish of *Stonykirk*, was hindered from taking possession of it, ordered the cause to be inquired into; but no prosecution followed, *Row* at this time turning papist.

Proceedings against the outed ministers.
As the 2d indulgence, of which I have given a pretty large account, was attended with no small difficulties to those ministers who accepted of it, it involved the rest of the ejected ministers, who could not comply, in great distress: And some have thought it would have been a great happiness if none had accepted it, but strenuously adhered to their presbyterian covenanted principles. There were many named who did not and could not comply: Wherefore, on the 7th of *March*, the council, resolving to force them to their confinements in those parishes allotted for them, ordered all the outed ministers to remove five miles from *Edinburgh*, unless they immediately gave bond not to keep conventicles. And, on the 12th, such ministers as had not entered on their confinements were called before the council. There appeared messieurs *George Waugh*, *Robert Young*, *James Kirkcoun*, *James Donaldson*, *Robert Lockhart*, *Matthew Mac-*

MacKail, Patrick Anderson, Alexander Barton, James Hamilton, and William Thomson, and were appointed to repair to their respective parishes of confinement by the 1st of June next, under the pain of being apprehended as despisers of the king's authority. Orders were at the same time given to the king's forces, sheriffs and magistrates, to seize them wherever they could be found, if they did not obey this appointment. They generally thanked the council for the time allowed them, and promised to take the matter under serious consideration. But when Mr. Young came before them, he complained of his having been unjustly turned out of his charge by bishop Sharp, and begged their lordships to consider it. The bishop rose up, and alledged that he had been orderly and justly deposed by him and the synod of Fife. Mr. Young offered to prove upon his peril, by the date of his sentence, that he was deposed before the synod met. Nevertheless the chancellor, without taking any notice of his complaint, told him it was the council's pleasure he should go to his confinement by the 1st of June. He answered, That he was sorry that such a sentence was passed for no other reason than their pleasure, and humbly protested that it might not prejudice him of reparation of the wrong done him by the bishop, and that his obedience to the council's pleasure should not involve him in any approbation of the complex act of indulgence. Messieurs Robert Maxwell, John Law, William Weir, James Walkinshaw, Alexander Jamison and James Wallace were called, but being absent the matter was delayed.

About this time a great turn of affairs happened in England, by which the measures of the CABAL were disconcerted, whose great project was, as has been related, to establish popery and render the king absolute. But, soon after the parliament met, the commons addressed the king to recal his declaration, since penal laws, in matters ecclesiastical, cannot be suspended but by act of parliament; and, perceiving his majesty not inclined to this, they stopt their money-bill. Whereupon the king, being in want of money, was easily persuaded to give up his indulgence, contrary to the advice of the CABAL: And accordingly, on the 8th of March, he called for the declaration, and broke the seal with his own hands. This pleased the commons, but disgusted the CABAL.

Alterations in England, Rapin.

1673. ferted them before; but when *Shaftsbury* saw how un-
 steddy his majesty was, he concluded that he was not to
 be trusted; and so, from being the head of the CABAL,
 he became the head of the *country-party*. Immediately
 after this change in the earl of *Shaftsbury*, the com-
 mons passed the *test-act*, intitled, *An act for prevent-*
ing the dangers which may happen from popish recusants;
 which having received the royal assent, most of the Ro-
 man catholic officers quitted their places. The duke
 of *York* resigned the office of lord high-admiral, and
Clifford that of high-treasurer. Thus the CABAL was
 divided. But the king adjourned the parliament to the
 20th of *October*, and from thence to the 27th, in order
 to defeat several bills which were disagreeable to him.

Had the managers in *Scotland* followed the example
 of the commons of *England*, instead of prosecuting their
 protestant brethren, at the instigation of a pack of impi-
 ous prelates, religion would have flourished, and a stop
 had been put to the growing progress of *popery*. It is
 true a clogged indulgence was granted, which many
 faithful ministers could not in conscience comply with.
 But then, to gratify the bishops, a most rigorous pro-
 clamations was emitted against *conventicles*, requiring all
 heritors, liferenters and wadsetters to inform the coun-
 cil, or the sheriff of the shire, steward of the stewartry,
&c. of house or field-conventicles kept within the bounds
 of their respective lands; and signifying, that, if they
 do not give such information in three days after the con-
 venticle is kept, they shall be fined in the fourth part of
 the yearly valued rent of their whole lands within the
 shire where the conventicle shall be kept: One third
 part of which was for the sheriff, and the other for the
 informer, and the rest for the king's use. Which furi-
 ous proclamation occasioned very terrible oppression in
 many places.

Two days before this Mr. *Robert Gillespie* was before
 the council, and owned he had kept one conventicle in
 the town of *Falkland*; but, refusing to inform against any
 present, was ordered to be sent prisoner to the *Bass*,
 where he continued till the beginning of next year, when
 he was let out for some time on account of his health.

On the 7th of *May* a letter from the king, dated the
 29th of *April*, was read in council, signifying that the
States, with whom he was at war, had a design to raise
 troubles in the west of *Scotland*, and therefore requiring
 them

them to suppress *conventicles*, and secure the west-coun-
try. Upon this letters were wrote to duke Hamilton and the earls of *Eglington* and *Cassils*. But it is plain the king had not more loyal subjects than these who were now persecuted, who complied with every thing except *abjured* PRELACY, so that there was not the least ground for any innuendo's of this nature. 1673.

When the 29th of May came the bishops got another handle for oppressing the *presbyterian* ministers. None of the *indulged* observed this anniversary. If indeed their week-days-sermon fell on that day, they preached as usual, but without taking notice of that solemnity. And therefore, on the 12th of June, letters were by the council directed against them in the shires of *Ayr*, *Lanerk* and *Kirkcudbright*. 29th of May not kept by the indulged.

The same day another letter, dated the 31st of May, came from his majesty to the council, approving of their conduct as to the *indulged*, and requiring them to prosecute those who would not comply; and, for preserving peace and order within the diocese of *Glasgow*, to give a commission to duke Hamilton, the earls of *Linlithgow*, *Dumfries* and *Dundonald*, and the president, or any two of them, to put in execution the laws and acts of council in relation to church affairs, and to inquire into what disorders have been, or may be committed within that diocese, and to call before them sheriffs, justices, &c. who have been, or shall be negligent in executing the laws against conventicles, deserting the kirks, irregular baptisms and marriages, &c. When this letter was read in council, all the members were not pleased with it, especially with the commission they were ordered to give; so that it was the end of July before a return was made, which shall be related in its proper place. The king's letter did not please.

Mean while the council, on the 19th of June, recommended to the lords of session to grant no suspensions upon sentences passed on account of church irregularities, that so nothing might hinder their execution.

About the end of June, Mr. Alexander Peden late minister of *New-Glenluce* in *Galloway*, a man of singular piety, zeal and faithfulness, and of whom many remarkable things are related, was apprehended by major Cockburn in the house of *Hugh Fergusson* of *Knockdow* in *Carri- rick*, who had obliged him to stay that night in his house. They were both carried prisoners to *Edinburgh*. On the 26th of June the council appointed the register and advocate Mr. Peden sent to the Bafs. Walker's passages, &c. p. 43. 44.

1673. vocate to examine him; and upon their report he was sent to the *Bass*, where he continued to the year 1678. Mr. *Fergusson* was fined in 1000 merks for harbouring and conversing with him, and the council ordered 50 *L. sterling* to be paid to *Cockburn* out of the fines, and 25 *L.* to be distributed at his pleasure among the soldiers under his command. Mr. *Patrick Simpson*, the indulged minister at *Kilmacolm*, sent him and the other prisoners a charitable supply of money, for which Mr. *Peden* afterwards thanked him.

Ministers appear for not observing the 29th of May. About this time began the prosecution of the indulged ministers for not observing the 29th of May. On the 3d of July many of them appeared and owned they had not observed that day, and were not clear in their own minds to keep any anniversary holy-days of human institution. While they were before the council some of them were interrogated as to other things besides the anniversary, such as their baptizing children in the parishes of conformists without testimonials, and if they had observed the council's instructions which were sent them with their acts of indulgence; and when one of them answered, that he had not seen the instructions spoke of, he was told by the chancellor, that that had been a neglect, but they should all see them; and accordingly they were ordered to attend on the 8th for that purpose, and to receive their sentence for not observing the 29th of May.

Mean while the ministers had frequent meetings among themselves, to consult how to act when the instructions should be delivered to them. A paper was drawn up by way of testimony; but they not agreeing to subscribe it, Mr. *George Hutchison* was appointed to speak, in the name of the rest, the sense of these impositions, in case they were intimated to them. But then some condemned their conduct in not fixing the time when Mr. *Hutchison* should have delivered their sentiments, that being left to his own prudence; for they thought he should have delivered his own and the sentiments of his brethren whenever the council's instructions were proposed to be presented. Others again thought it was time enough when Mr. *Hutchison* himself should be called for. However, as the instructions related to them all, and as a testimony was judged proper against every unlawful encroachment upon the exercise of their ministry, I leave it to the reader to judge whether this should

should not have been delivered before any one of their 1673.
number had received them. But to come to matter of fact. ~

On the 8th of July the following ministers appeared *Ministers*
before the council, viz. messieurs *Anthony Murray, John* *fined for*
Hamilton, John Oliphant, James Curry, John Lauder, *not keep-*
John Stirling, James Hutcheson, John Eccles, Andrew *ing the*
Dalrymple, John Gemble, Hugh Campbel, Alexander Blair, May &c. *29th of*
James Veitch, John Hutcheson, Robert Miller, George *Hist. of*
Ramsay, John Bell, Ralph Roger, William Tullidaff, George *indul. P.*
Hutcheson, John Spalding, John Wallace, and William *51.*
Maitland, and were fined in the half of their stipend for
the crop and year 1673. except the three last, who preach-
ed on that day. And messieurs *John Crawford, John*
Baird and William Fullerton not appearing, were denounced
rebels.

This being done, the lords, on the same day, ordered *They re-*
the instructions to be delivered openly to the ministers *ceived*
present, that none might pretend ignorance. A list of *their in-*
them was drawn up, and every one was called in order *structions.*
of the list, and asked if he had a copy of his instructions;
if he had he was dismissed, but if not the clerk de-
livered him a copy. It happened that Mr. *Hutchison's*
name was towards the end of the list; and he not offering
to speak till his name should be called, some began to
question whether he would speak at all, and therefore
resolved to speak for themselves.

Accordingly, when the clerk delivered the paper to *Mr.*
Mr. *Alexander Blair,* minister at *Galsoun,* he, being *Blair's*
moved with zeal, and remembring whose ambassador he *case.*
was, told the council plainly, that he could receive no *Hist. of*
instructions *from them* to regulate him in the exercise *indul. p.*
of his ministry, otherwise he should not be Christ's am- *52, 53.*
bassador, but *theirs;* and then he let their instructions
drop out of his hand, knowing no other *salvo* or manner
of *testifying* for the truth. This plain dealing so exas-
perated them, that they immediately ordered him to be
committed to prison, where he continued till near the
end of the year, when, by reason of his sickness, he was
let out, upon finding security in the sum of 5000 *marks*
that he should re-enter in a month's time; but, his in-
disposition continuing, his liberty was lengthned for an-
other fortnight, and before that expired his glorious ma-
ster sent and rescued him from the rage of his persecu- *p. 54.*
tors, and the reproaches of his deserting brethren; and
the sound of, *Well done, good and faithful servant,* filling
his

1673. his ears, made him shut his eyes singing, and give up the ghost with joy, and in full assurance of faith.

Sundry of his brethren looked upon his testimony as unseasonable; but whether it had not been better for them all to have unanimously joined him in the same open and free declaration, must be left with the reader. When Mr. *Hutchison* was called he discoursed concerning the difference between the *civil* and *church* government, and their different powers formal and objective, intrinick and extrinick, and endeavoured to qualify what Mr. *Blair* had said. But it is plain that they who could not comply with the *indulgence* never questioned the magistrate's *lawful* authority. After Mr. *Blair* was imprisoned, Mr. *Hutchison* and some others went to the chancellor, and other counsellors, and spoke to the same purpose with him, and begged favour for him; but that was not granted; for the chancellor told them, it was not the matter, but the manner of his speaking, that had irritated them.

Other ministers fined. On the 10th of July, messieurs *John MacMichan* of *Dalry*, *John Semple* at *Carsphairn*, and *John Cent* of *Kells*, were fined for not observing the anniversary.

A kind of remonstrance. On the 25th the commission to the five persons mentioned in the king's letter of the 31st of May was agreed upon, and the council at the same time wrote to his majesty, signifying 'that they had granted the commission appointed; but humbly proposed that his majesty would consider, whether the right settling the affairs of the church and publick peace in the diocese of *Glasgow*---be proper to be left in the hands of so few.' It was some time before they had a return.

More ministers fined. Mean while, on the 31st, they fined messieurs *John Scot* at *Oxnam*, *James Fletcher* at *Newthery*, and *Robert Mowat* at *Herriot*, as above, for not keeping the 29th of May. The same day Mr. *Alexander Wedderburn* was committed to prison, because he confessed that he had preached and prayed in his own house, several being present besides his own family, till he either found security, under 5000 merks, not to keep another *conventicle*, or take upon him a voluntary banishment. However, in about a month's time they ordered him to to be confined to the town of *Kilmarnock*.

Mr. Weir History of inland. P. 41. And on the said 31st of July they ordered a party of the guards to bring in Mr. *William Weir*, the indulged minister at *West-Calder*, prisoner to the tolbooth of *Edinburgh*,

Edinburgh, because, for satisfying his conscience, he received a call from some of the heritors and people. In his first sermon he declared his adherence to the *solemn league and covenant*, and did not acknowledge the power either of king or bishop in matters belonging to the church of Christ. In short, he preached against the *supremacy, prelacy* and *anniversary* holy-days of human appointment. This plainly shewed that the council, by their act of *indulgence*, aimed, among other things, at the establishment of the *supremacy* and *prelacy*; so that the very speaking against these things was judged criminal. How far then they who kept silence are to justified, I leave with the reader. Mr. *Weir* soon after this went to *Ireland*, where he continued till 1687. when he was called to his former charge at *Linlithgow*, where he remained till his death in July 1695. 1673.

The gentlemen formerly mentioned, as *Kersland, Blaiket, Quarreltoun, Bedlane*, and others, imprisoned for *non-conformity*, were this year continued in their prisons. But the severity against Sir *Andrew Kennedy* of *Glawburn*, after the revolution lord-conservator in the *Low-Countries*, is not to be omitted; for, on the 20th of *August*, he was, by a sentence of the *justiciary*, denounced a rebel, ordained to be put to the horn, and his moveable goods confiscated for his majesty's use. The sentence bears, that Mr. *Robert MacWard* late minister at *Glasgow*, Mr. *Robert Trail* at *Edinburgh*, Mr. *John Livingston* at *Ancrum*, Mr. *John Brown* at *Wamphray*, and others, having retired to *Holland*, had contrived most treasonable designs against his majesty's person and government, and for involving their country in the calamities of a civil war; and, in order to this, had composed sundry seditious books and pamphlets, as *Naphtali, Jus populi vindicatum*, &c. and sent them to be dispersed through the country, to confirm those of their own principles, and to seduce others; that they stirred up the *States* to make war against the king; had sent home, or endeavoured to send home, arms, &c. had kept correspondence with disloyal and seditious persons, among whom the said Mr. *Andrew Kennedy* was employed; that he had received and dispersed the said books, &c. kept correspondence with them, and otherways promoted their designs, and so was accessory to the crimes of treason, and was in absence sentenced as above. The reader is here to observe, that

1673. that this sentence was grounded on notorious falsehoods; for the ministers above mentioned never stirred up the *States* to war, nor promised the least assistance in *Scotland*. And though some of them were the authors of the books mentioned, yet the books speak for themselves; and what is said concerning Mr. *Kennedy's* dispersing those books is absolutely false.

Gentlemen fined.

Many were the exorbitant fines that were imposed upon gentlemen in the shires of *Dumbarton*, *Lanerk*, *Ayr*, *Galloway*, *Dumfries* and *Renfrew*. To give the reader a specimen of the oppressions of some of the king's best subjects, merely for *non-conformity*, I shall in this place subjoin an account of the fines imposed on some gentlemen in the shire of *Renfrew* alone. Thus,

Sir George Maxwel of Newark, for three years absence from his parish-church,			
31,200 <i>l</i> .			
For a weekly conventicle during that time,	62,400 <i>l</i> .		
For three disorderly baptisms,	1200 <i>l</i> .		
The laird of Douchal, now Porterfield, for the like atrocious crimes	- -	94,800	0 0
William Cuninghame of Carncurran	- -	84,400	0 0
John Maxwel of Dargavel	- - -	15,833	6 8
John Brisbane of Freeland	- -	18,900	0 0
Gavin Walkinshaw of that ilk	- -	3,900	0 0
Sir George Maxwel of Netherpollock		12,429	0 0
Matthew Stewart in Merns	- -	93,600	0 0
John Pollock of Falside	- - -	6,399	0 0
James Hamilton of Langtoun	- -	3,510	0 0
Mr. James Pollock of Balgray	-	18,427	0 0
		15,833	6 8
Extending in all to		368,031	13 4

And in *Sterling* to 30,669 6 1

A monstrous sum to be imposed upon eleven persons in one shire; and, had the whole been levied, the gentlemen must have been ruined. There was a composition made, and they were greatly harrassed till it was exactly paid. My author could not give the date when these fines were laid on; but, as this was the third year since they were enacted by the parliament, he inserts them in this place. And, as the facts are certain, the impartial reader cannot, I am persuaded, think of such a government without abhorrence.

These

These hardships and severities opened the eyes of several ministers who had conformed to prelacy, to see the evil of their way. We related the conduct of the two excellent brothers, masters *Alexander* and *John Carmichael*. This year the reverend Mr. *Thomas Forester* minister * at *Alva*, and after the revolution professor of divinity at *St. Andrews*, having had, for some time, several difficulties in his own mind concerning conformity, abandoned prelacy. He had ever since the beginning of this year deserted their meetings; and therefore, on the 7th of August, the clerk of the presbytery of *Stirling*, by their order, sent him a letter, finding fault for his non-attendance, and ordering him to attend at their next meeting on the 26th. To which Mr. *Forester*, in a letter, gave in his reasons why he could not attend; as, ' 1. Because it was evident, by the then standing acts relating to religion and church-government, that all power or jurisdiction in the church, or its assemblies, was founded in, derived from, or ultimately referable into the magistrate's civil power, which, says he, I judge to be contrary to the word of God, the confessions of reformed churches, and our own church's judgment; consequently the keeping of the meetings (a badge of the acknowledgment of the lawfulness of this frame) to be unlawful, this frame of church-government being clearly proved unlawful by such as have written against *erasianism*. 2. Because I find, since our first reformation, several oaths, vows, and solemn engagements upon this church and nation, against the prelatick frame of government, the obligation whereof I could never find convincingly disproved, but upon some search am persuaded that the same are still binding on the nations and posterity. 3. Upon some search into the controversy of church-government, I have for a considerable time entertained the persuasion of the unlawfulness of the prelatick frame, as contrary to the prescriptions set down in the word. If these foundations hold, the unlawfulness of the meetings cannot be questioned, and, so long as I am thus persuaded, I cannot attend upon them in faith."

These reasons he enlarged, illustrated, and abundantly confirmed in a long paper which he sent to the brethren of the exercise, which the reader will find in *Wodrow's* appendix to book II. No. 66. which I cannot insert in this place. Mr. *Forester* was upon this obliged

1673.
Mr. Forester renounced prelacy.

1673. to quit his charge at *Alva*. Then he joined the persecuted *presbyterians*, and preached, or, according to the dialect of these times, *kept conventicles*, as he had occasion, which brought upon him the rage of the persecutors, as shall be related in the course of the following year.

Proceed-
ings on
the king's
letter.

On the 3d of *September* the council had a letter from his majesty, wherein he complains that the *outed* ministers had not been cited in the terms of his letter of the 31st of *May*; and tells them, that the power of the five proposed was not at all privative of the council's power. In short, in the close, the commissiion was dropt, and the council warned to take special care of the diocese of *Glasgow*. Several were pleased with this, and immediately all the *ejected* ministers in and about *Edinburgh* were called to hear their sentence to repair to the parishes of their *confinement*; and power was given to the chancellor and earl of *Athol* to authorise whom they pleased to apprehend all who had been at *field-conventicles*, and either send them to *Edinburgh*, or oblige them to find security for their appearance.

Next day those *ejected* ministers, who had no particular parish assigned, were ordered to repair to such parishes as should be named by the council. Accordingly Mr. *John Park* was ordered to confine himself to the parish of *Kilmawers*, Mr. *John Knox* to *West-calder*, messieurs *Robert Fleming*, *Thomas Hogg*, *John Lidderdale* and *Alexander Hutchison*, not appearing, were ordered to be apprehended wherever they should be found. And on the 30th of *September* sentence was passed against all the *ejected* ministers who had not accepted the *indulgence*, (except two or three who made some excuse) and they were ordered to be denounced on the 6th of *November*; this was the case particularly with messieurs *William Mein*, *James Donaldson*, and *William Creighton*. But messieurs *James Kirkton*, *Robert Lockhart*, *John Waugh* and *Thomas Melvil* were excused.

Conduct
of other
ministers.

Of Mr.
Burnet.

But the ministers who continued in the country, and could not comply with the council's orders, were brought to no small difficulties. About eight of them met together, and drew up the reasons of their non-compliance, among whom was the reverend Mr. *John Burnet*, minister at *Kilbride* near *Glasgow*, who, being summoned before the council, could not appear on account of his bodily indisposition. Nevertheless he thought it his duty to give an open and plain account of his reasons

to the council, and therefore drew them up in writing 1673, to be presented; but tho' his sickness, of which he died about the end of this year, prevented this, yet he sent the paper to the chancellor without altering its form or stile. As he left it as his *testimony*, it is fully recorded in the *history of INDULGENCE*, from whence I give the following large abstract thereof.

BEING called before his majesty's privy council, ^{Mr. Burnet's} to give an account of the reasons why I have ^{reasons a-} not accepted of this present *indulgence*—I shall premit ^{gainst the} these things briefly. 1. That it is well known.—that ^{indul. p.} the constitution and government of this—church of ^{42, &c.} Scotland, for many years, and particularly in the year 1660. was framed according to the word of God, confirmed by many—laws of the kingdom, and solemnly sworn to by all ranks within the same. 2. It is also found-----that this ancient and *apostolick* government is wholly overturned in its very *species* and kind---by the introduction of *lordly prelacy*.—3. The sad effects of these things are conspicuously apparent on the face of the church this day, such as involving the land in great backsliding and defection; the abounding ignorance and atheism,----the increase of *popery* and *error*,----the sharp sufferings of many of his majesty's loyal subjects, &c. 4. Whatever power sound---divines acknowledge the magistrate to have,-----in a troubled and extraordinary state of the church, yet it is not yielded----that he may any ways alter its warrantably *established* government, and so turn that same troubled and perplexed state of the church, made so by *himself*, to be the subject of his ministerial authoritative care and operation. 5. That I be not mistaken, as denying to his majesty his just power in ecclesiastick matters, I,----with great alacrity, acknowledge that the civil magistrate hath a power *circa sacra*, which power is objectively ecclesiastick, so as he, by his royal authority, may enjoin, that *whatsoever is commanded by the God of heaven may be diligently done for the house of the God of heaven*; which power also is by God's appointment only cumulative and auxiliary to the church, not privative nor destructive, and is to be exercised always in a civil manner. As to the reasons of my not acceptance----they are,

I. That our Lord Jesus Christ, Mediator, the King and Lawgiver of his own church, hath committed all ministerial

1673. ministerial authority, for government of his house, to his own church-officers, as the first proper subject and receptacle of it. *John* xx. 21. *Matth.* xxviii. 18, 19, 20. *2 Cor.* x. 8. But——the act explanatory of his majesty's *supremacy* in the church (whereupon the act of *indulgence* is grounded) doth not only claim the power to belong of right to his majesty and his successors, as an *inherent privilege* of the crown, but doth actually also *invest* him with the formal exercise thereof in his own person, and that---he may convey it to others, as in his royal wisdom he shall think fit; for his majesty is pleased to design and make application of ministers to congregations, and that without the previous call of the people and power of the *presbytery*;——to frame and prescribe ecclesiastical rules relating to the exercise of the ministerial office, and appoint a commission to plant and transplant ministers as they shall think fit, notwithstanding it hath been unanswerably evinced, that *presbyterian* government is founded on the word of God, and confirmed otherways abundantly.

II. Although I freely——condemn all——seditious meetings, (among whom it is sad——that the *peaceable meetings* of the Lord's people for worship——should be reckoned) yet I am so convinced——of the Lord's blessing attending the preaching of the gospel, though *not in a parish-church*, that I judge the narrative of the first act to go near to involve my acceptance of this *indulgence*, as being an interpretative condemning of the *said meetings*.

III. There is a standing relation between me and another flock, over which I was set by the appointment of Jesus Christ in his word, which tye can never really be dissolved by any other power than that which at first did make it up and give it a being. And after I had ten years, during the *English* usurpation, wrestled in opposition to *quakers* and *independents*,——I was, without any *ecclesiastick* sentence, thrust from the publick exercise of my ministry in that place, where there will be 1200 examinable persons, of which there were never 50, to this day, who have subjected themselves to *him* who is called the *regular incumbent*.——Now what a door is hereby opened to error, atheism and profaneness?——And what a grief must it be to those to have their own lawful pastor shut up in a corner?——Or how can any new relation

relation subsist between another flock and me, by virtue of an act of a mere *civil* judicature? Besides, the people in whom I have present interest are utterly rendered hopeless by a clause in the end of the first act, *That the indulgence is not hereafter to be extended to any other congregation than those mentioned in the act*, whereof they in that parish are none.

IV. Though I will not——debate the magistrate's sentence of *confinement*, yet-----there are so many things attending the *application* of it to my person, that it cannot be expected I should give that obedience to it which might infer my own consent or approbation; for,

1. This *confinement* —— is a very sharp punishment as it is circumstantiated.
2. All punishments——ought to relate to some cause or crime, and cannot be done arbitrarily without oppression, *Acts xxv. 27.*—yet I am sentenced and sent in fetters to a congregation, without so much as being charged with any crime.
3. If my *confinement* relate not to any crime, it must needs relate to a *design*, viz. that I should preach, &c. wholly at the appointment and disposal of the civil magistrate.—Now this design, however closely covered, I dare not, in conscience, yea, I cannot (with the preservation of my——principles) concur with, or consent thereto.
4. By the confinement I am put to an open shame before the world, and particularly in that place where I am permitted to preach the gospel: For what weight can my preaching or ministerial acts of discipline and government have, while I myself am----dealt with as a malefactor and transgressor, a rebel or traitor to my prince and nation? Or how can I preach——against the sins of the times,——while the sword of the magistrate is continually at my throat?—
5. This confinement is not simply or mainly of my person——but it is of the *office itself*,----while it is not of me alone, but of all the *presbyterian* ministers in *Scotland*, a very few only excepted; and, while the propagation of the gospel is hereby manifestly obstructed, we are cut off from the discharge of many necessary duties we owe to the church and nation,——while she is in hazard to be swallowed up with a swarm of *jesuits*, *quakers*, &c. and while three parts of the kingdom are groaning under the want of the word faithfully preached, and some few shires in the west are made, as it were, the common jail of all the ministers that are permitted to preach. By this *confinement* I lose

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1673. an essential part of my ministry, which is the exercise of jurisdiction and church-government—a principal part of which is *ordination*, for preserving a succession of faithful men in the church.——

V. As for the permission I have to preach when confined,——while I look on it abstractly,——it is a very great favour,——but take it without the previous call of the people, the authority and assistance of a *presbytery*,——and without *the exercise of discipline and government*——it is lame. Again, take it with the confinement, and other clogs and caveats contained in the 2d act, &c.——I have it to consider, whether this my permission be not putting my neck under a heavier yoke than——before.

VI. The last reason, for brevity, is from the dependence this act——of *indulgence* hath upon the late explanatory act of his majesty's *supremacy*, when——the estates of parliament——declare, that his majesty hath the supreme authority and supremacy over all persons, and in all causes ecclesiastick within this kingdom;——that, by virtue thereof, the ordering and disposal of the external government of the church doth properly belong to his majesty and his successors, as an *inherent right of the crown*; and that his majesty and successors may settle——such constitutions, &c. concerning the external government of the church, and the persons employed in it, and concerning all ecclesiastical meetings and matters,——as they, in their royal wisdom, shall think fit. Again,——the particulars of the act of *indulgence* are of the same nature and kind with the articles explanatory of his majesty's *supremacy*, viz. to settle, enact, emit, acts and orders, concerning matters, meetings and persons ecclesiastick, according to their royal pleasure.——The rules and instructions, for limiting ministers in the exercise of their office,——are such as I declare I cannot accept of them, or any other favour whatever, upon such terms and conditions; because they contain the down-right exercise of *erastianism*.——

He concludes with an earnest desire that God would put it in the king's heart to grant ministers liberty to make full proof of their ministry, that they might have an opportunity to shew that *that* government which Christ has appointed, doth well consist with the magistrate's civil government in the state; and that *presbyterian*

rian ministers may have access to his majesty for representing just grievances. 1673.

The eight ministers drew up their reasons why they could not comply with the council's orders, but their paper was never presented; and as it is to the same purpose with Mr. Burnet's, I shall not insert it here. It was subscribed by messieurs *Hugh Smith, John Burnet, Robert Fleming, John Blackadder, David Hume, Alexander Jameson, George Campbel and Daniel Cargil*. Mr. Burnet was a minister of great solidity and learning, and singularly useful in reclaiming *quakers* in that neighbourhood. And, says my author, though he had no freedom to fall in with the *indulgence* himself, yet he both heard some of the *indulged* ministers, and pressed his people to do so likewise. He died in great peace and full assurance 22d of December this year.

We have hinted a little concerning the proceedings of the *English* parliament, which had been adjourned to the 27th of *October*. On the 31st the commons went in a body, and presented a dutiful address against the duke of York's marriage with the princess of *Modena*. But not receiving any satisfying answer, they proceeded farther, and voted the standing army a grievance, and prepared an address accordingly. But, on the 4th of *November*, when the commons were to present it, the king came unexpectedly to the house of peers and sent for them. It happened that the speaker and the usher of the black-rod met both at the door of the house; but, as the speaker was within, the door was immediately shut against the usher. The speaker was forced into the chair; and, while the usher continued knocking, the house voted, 1. That the alliance with *France* was a grievance. 2. That the evil counsellors about the king were a grievance. And, 3. that the duke of *Lauderdale* was a grievance, and not fit to be trusted or employed in any office or place of trust. Upon which there was a general cry, To the question, to the question! But the black-rod continuing knocking, the speaker leaped out of the chair, and rose in great confusion. When the commons went to the house of lords, the king prorogued the parliament to the 7th of *January*, during which prorogation the duke of York's marriage was consummated on the 21st of *November*.

The duke of *Lauderdale*, being thus voted a grievance by the commons of *England*, made the best of his way to

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ings in
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p. 672.

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1673. to *Scotland*, where, in the month of *December*, he held his fourth session of parliament. When the parliament was opened the king's letter was read, desiring their assistance in carrying on the war with *Holland*, and assuring them of his affection in very kind words; and likewise told them, 'That one of the principal reasons of keeping this session of parliament is, that effectual courses may be laid down for furnishing and curbing the insolent *field-conventicles* and other seditious practices, ---and that if fairness will not do, force must compel the refractory to be peaceable and obey the law.' The duke seconded the letter with a speech to the same purpose; but providence interposed, so that no new laws were made in this session against the *presbyterians*; for the duke soon found that a strong party was formed against him; for when it was moved 'that a committee be appointed to draw up an answer to his majesty's letter, duke *Hamilton* moved that the state of the nation might first be considered, in order to the redress of grievances, some of whom he mentioned. And then, according to concert, about twenty members, one after another, spoke to several particulars. Some mentioned the salt, others the tobacco and brandy: Some complained of the administration of justice, and others of the coin.' In short, warm debates arose. And when the commissioner appeared with some briskness for a supply to his majesty, one of the members asked, *Whether this was a free parliament or not?* Sir *Patrick Hume* of *Polwart*, and several other gentlemen, spoke with great freedom and plainness. So that now *Lauderdale* had the mortification to find himself voted a *grievance* by the commons of *England*, and his measures opposed in *Scotland*, and therefore he had no other shift but to adjourn the parliament.

About this time a breach happened between *Lauderdale* and Dr. *Burnet*, afterwards bishop of *Sarum*, the effect of which was, that the doctor, in the year 1675. turned informer against the duke in the house of commons. But I now go on to

C H A P. X.

Of the state and sufferings of the presbyterians during the Years 1674 and 1675.

THE managers in Scotland still persisted in prosecuting the non-conformists, so that many of them were forced to wander from place to place to avoid the fury of their oppressors. Lauderdale stood his ground notwithstanding all the attempts made against him. But I shall relate the transactions, as near as possible, in the order of time wherein they happened.

On the 8th of January Mr. Matthew MacKail, minister at Bothwell, was let out of prison, where he had been for some time, but, refusing to engage not to preach, was confined to the parish of Carlouk, and a bond was given for his appearance when called. He had preached to upwards of 1000 people in the fields, in the year 1669. from *Isa. xxxii. 5.* but though that sermon made great noise, yet it does not appear he was troubled for it.

On the 25th of January the parliament was farther prorogued to March. The bishops had conceived great hopes of accomplishing their designs at this parliament, and for this end many things were collected as grievances to be laid before the house, particularly in a paper drawn up by the synod of Glasgow in October last, viz.

1. That conventicles still abounded more publicly and avowedly than ever, and that by some who never entered upon trials before any church-judicatory, which, by the way, was FALSE; for messieurs Maxwel, Crawford, Wodrow, Corbet, and others mentioned, were examined and licensed by presbyterian ministers, according to the acts of general assemblies. 2. That the indulged ministers did not observe the council's rules. 3. That meeting-houses were erected. 4. That in one of them, at Kilsyth, the preacher cursed the king, his council, and all the royal family; but, had that been true, it is surprising the preacher was not laid hold on, the managers not being accustomed to let such affronts slip through their fingers. 5. That the tutors of noblemen and gentlemen's sons were ill principled, and poisoned their pupils. 6. That conventicles and indulged ministers preached sedition.

14. The 29 of May not observed. 15. Several horrid crimes were, say they, committed at conventicles

1674.

Mr. MacKail,

Parliament farther prorogued.

Govern-ces drawn up by the synod of Glasgow.

1674. *ticles, as incest, bestiality, murder of children ; besides frequent adulteries, and other acts of wickedness. But this is altogether calumnious, and may put us in mind of the reproaches cast upon the meetings of the primitive christians by their virulent persecutors. From such innuendoes as these, that vile pamphlet, intituled, The spirit of popery speaking out of the mouths of fanatical protestants, was published some years after this, but was sufficiently answered, and the lies and forgeries contained in it abundantly detected by the reverend Mr. Matthew Crawford. The 16th and last grievance they mention was the increase of popery ; but that gave them little uneasiness. As for some of these things, they were owned, by the sufferers, as practices upon which they did suffer, and what they judged consonant to their principles. Whether these grievances were presented I know not ; but if they were laid before the commissioner and council, yet the proceedings at this time in England, and the difference between the two dukes in Scotland, prevented the gratification of the persecuting clergy at this juncture.*

As soon as the prorogation of the parliament was known, duke Hamilton and others went to court, to lay before the king the *grievances of the nation*. Religion was overlooked by *both parties*. And though the king blamed Hamilton for raising heats in the parliament, yet he dismissed them with promises that it should sit in *March*, and all their grievances be considered. Accordingly they all hastened home ; but, when they were met, *Lauderdale* produced a letter from his majesty adjourning them till *October*.

Mr. James Mitchel taken. * p. 241. Mean while, about the beginning of *January*, Mr. James Mitchel * was discovered, and apprehended by Sir William Sharp and two of his brother's servants, and was, by the chancellor's order, made close prisoner. On the 10th of *February* he was examined by the lord chancellor, lord register, lord advocate, and lord Halton, and denied the assassination of the archbishop (but, being taken apart by the chancellor, he confessed, having got assurance of his life) that it was he who shot the bishop of *Orkney* while aiming at the archbishop. Lord Halton, in a letter to the earl of *Kincairdin*, said, that he thought his punishment would be the loss of his hand, and perpetual imprisonment in the *Bass*. On the 12th of *February* he was examined before the council, and

and said nothing but what he had said before the committee. He was then remitted to the justice-court to receive his indictment and sentence; to have his right-hand cut off at the cross of *Edinburgh*, and the forfeiture of his goods and posterity, which last part was not to be executed till his majesty be acquainted, because, says lord *Halton* in a second letter to *Kincairdin*, assurance of life was given him upon his confession.

On the 16th of *February* he wrote a large letter from prison, to a friend, vindicating his practice, and owning the principles upon which he went.

But, while this affair was on the carpet, the reverend Mr. *Forester* * was apprehended by the magistrates of *Stirling*, for preaching in private families in that town; for which good services the magistrates had a letter of thanks from the council, and had blanks sent them that they might fill them up with names, and with the charges they were at, to bring in whom they pleased to *Edinburgh*, whether Mr. *Forester* was carried under a guard, and where he continued till the indemnity in *March*, when he was set at liberty.

But to return to Mr. *Mitchel*. On the 2d of *March* *Mitchel* he was brought before the lords of justiciary, and indicted for being concerned in *Pentland*, and for the attempt on the archbishop of *St. Andrews*. But he pleaded not guilty, and insisted that the things alledged against him should be proved. The lords postponed the affair till the 25th.

Mean while the council made an act, *March* 12th, in which it was specified, that Mr. *James Mitchell* ' confessed his firing the pistol at the archbishop of *St. Andrews*, upon assurance given him of his life, by one of the committee who had a warrant from the lord commissioner and secret council to give the same; and therefore did freely confess, &c.' In the said act, which Mr. *Wodrow* has given at length, p. 376. it was declared, that, on account of his refusing to adhere to his confession, the promises made to him were void, and that the lords of justiciary and jury ought to proceed against him without any regard to these.

The 19th, several who were imprisoned at *Edinburgh*, for disorders, (*church-irregularities* perhaps) were given by the council to captain *James Hay* to be recruits to a regiment he was concerned with in *France*.

About

1674. About five days after this *Lauderdale* complimented the nation with an act of *indemnity* from the king. But though it was of little service, on account of the many limitations and restrictions wherewith it abounded, yet the common people looked upon it both as a remission for what was past, and a kind of security for the future in their following *conventicles*, which was the real cause of their taking more liberty at this time, and whereof *Lauderdale*, when he went to court, laid all the blame upon duke *Hamilton* and his party, which occasioned many letters to the council in order to suppress them.

Next day Mr. *Mitchel* was brought before the judiciary, but, as there was no proof against him, except his own confession, they, with the consent of the advocate, protracted the affair, and remanded him to prison.

On the 26th of *March*, Mr. *Forester*, *Thomas Lennox*, and some others, were set at liberty, possibly in consequence of the *indemnity*. And the same day *William Perterfield* of *Quarrelton* * got his confinement changed from *Dumbarton* to *Paisley*, with liberty to walk abroad.

* p. 229, 295.

But though the state had indemnified Mr. *Forester*, yet the prelates and their underlings renewed their attacks upon him. And accordingly the diocesan synod of *Dunkeld* passed a sentence of *deposition* against him on the 29th of *April*, which was confirmed by the bishop on the 4th of *May*. The curious reader will find his judicious remarks on this sentence, and on the bishop's ratification, in Mr. *Wodrow's* appendix, No. 66.

At this time the house of commons in England discovered a laudable zeal against *popery* and arbitrary power. The *English* parliament sat down on the 7th of *January*, and the lords presented an address, praying the king to issue out his royal proclamation, requiring all reputed *papists* to remove out of *London* and *Westminster* during the session of parliament. Next day both houses joined in an address for a general fast, to implore God's blessing against the efforts of *popery*, &c. The commons likewise proceeded against the remaining members of the *CABAL*, viz. *Buckingham*, *Lauderdale* and *Arlington*. It is sufficient, for my purpose, to observe, that they unanimously voted that an address should be presented to his majesty, to remove the duke of *Lauderdale* from all his employments, and from his majesty's presence and councils for ever, being a person obnoxious and dangerous to the government. These and such like addresses were very disagreeable

Proceedings in England, Rapin, vol. II. p. 673.


1674.

disagreeable to his majesty, who could not be pleased to see every part of his conduct so strictly examined: Besides, he was obliged, for want of the sinews of war, to make peace with the *Dutch*, which he communicated to the parliament on the 11th of *February*. However, the commons still proceeded on their grievances; but the king, to defeat their designs, came to the house, and prorogued them to the 10th of *November* following, before any bill was ready for the royal assent.

Notwithstanding all their proceedings, *Lauderdale*, Parliament dissolved. disregarding the vote of the commons of *England*, went to court after the last prorogation of the parliament of *Scotland*; and though duke *Hamilton* followed and spoke freely to his majesty concerning him, yet the king still caressed *Lauderdale*, insomuch that, on the 19th of *May*, a proclamation was issued for dissolving the parliament. The reason given was the peace lately concluded with the *Dutch*; but the truth is, *Lauderdale* plainly perceived that he durst not venture upon any more *Scots* parliaments.

About the end of *May* he got the privy-council modelled to his mind. *Tweeddale*, *Queensberry*, *Yester*, Council modelled. *Dumfries*, *Roxburgh*, and some others, were turned out; and *Kinghorn*, *Mar*, *Wigtoun*, *Ross*, *Collingtoun*, *Graigy*, and others, put in their places. Duke *Hamilton* himself was kept in, but, as he was never much in favour, he very seldom attended. And the king, to keep *Lauderdale* in credit in *Scotland*, after being disgraced in *England*, sent a very long letter to the council of *Scotland*, approving of all *Lauderdale's* proceedings, so that he still carried all before him.

The new modelled council sat down on the 4th of *June*, when an incident happened which made no small noise. The meeting of women. As men were not safe to give in any petitions to the council, a considerable number of women resolved to appear for the persecuted cause. Accordingly, when the counsellors came up, they found the parliament-close almost filled with women. The archbishop stuck close by the chancellor, being in no small pannick at this female-assembly. Some of the women called him *Judas*, and others *Traitor*; and one of them laid her hand on his neck, and said, *Ere all was done*, that neck behoved to pay for it. But no other violence was offered. The widow of the reverend Mr. *John Livingston* presented their petition to the chancellor, setting forth the sad

1674.  sad condition of the country in being deprived of their faithful ministers, and praying that *these* might again have their liberty, without molestation, to exercise their ministry. The earl received the petition with civility, read it directly, and heard what she had farther to offer. He talked a little with some of the rest, jested with them, and seemed to be pleased with the fright that *Sharp* was put into. Notwithstanding, when the counsellors got within doors, and found the petition signed, it was voted *criminal*. About a dozen of the subscribers were called in, one by one, and declared that no man had any hand in what they did, but that they were moved with the sense of their perishing condition for want of the gospel, having none to preach to them except ignorant and profane men, whom they could not hear. Then they were all put into a room by themselves, and the provost was sent to dismiss the rest. However, they resolved not to withdraw till their friends were sent out, and declared they would all take the same lot. Upon which the council were pleased to liberate the rest, and so this tumult was ended.

Women prosecuted.

Next council day the subscribers were all called, and, upon their not appearing, were *denounced* rebels, except Mrs. *Margaret Johnston*, daughter of the excellent lord *Wariston*, Mrs. *Cleland*, and *Lilias Campbell*, who were apprehended and imprisoned. And about the end of the year Mrs. *Elizabeth Rutherford*, Mrs. *Margaret Johnston*, lady *Mersington*, and several other women concerned in this affair, were, by the council, banished the town of *Edinburgh* and the liberties thereof.

Young men licensed and ordained.

Before I come to relate the proceedings of the new council, it will be proper to give the reader a short view of the conduct of the *presbyterian* ministers about this time. Both *indulged* and not *indulged* met frequently among themselves, licensed several promising young men, sent them to preach in those parts of the country, where they were most wanted, excited vacant congregations to call them, and, upon the people's call, ordained them with all the solemnity the times would admit of.

Overtures.

In this month of *June* the *presbyterian* ministers, in every corner of the church, sent delegates to *Edinburgh* to concert upon proper rules and overtures to be transmitted to the several meetings of ministers through the country. Accordingly they met, and, among other things,

things, agreed that the several meetings take care to send preachers where the necessities and desires of the people required them, and to warn them faithfully of the evils and dangers of the time, &c. that it be provided, that no offers from the state, relating to church-affairs, be rejected or accepted by any particular minister, without the previous knowledge of the several societies; and that ministers in this, as in other things, subject themselves *communi presbyterorum consilio*; that neither ministers nor probationers settle with a people without consent of the meeting in the bounds, &c. 1674.

Together with these overtures the materials of an address to the government were transmitted to the several associations of ministers, in which they justly complained of their hardships, of the change of the government of the church, of their not being allowed to acknowledge their allegiance to the sovereign, according to the scriptures, unless they allow him to have that *supremacy* which does not belong to him, and so be found guilty of encroaching on the *sovereign authority* of Jesus Christ, *the only king and head of his church*; — that a great number of valuable young men are kept useless; and that little or no care is taken to stop the growth of *popery*; and therefore prayed that their lordships would take these things under their most serious consideration. *Materials of an address.*

These overtures and materials for an address were sent round the country, and generally consented to, with some amendments and additions; but, as all their consultations came to nothing, I shall not insist upon them. *Are generally agreed to.*

We have observed, that, from the act of indemnity above mentioned, people took encouragement to frequent *conventicles*, so that about this time these pretty much abounded through the kingdom, which greatly disgusted the *prelates*, and therefore they used their utmost endeavours to suppress them, especially the *field-meetings*, which produced several letters from the court in order to bear them down. *Conventicles abounded.*

Accordingly, at the first meeting of the new council, on the 4th of June, a letter from his majesty to this purpose was read, wherein the council was required to use their utmost endeavours for trying and apprehending the preachers at *field-conventicles*, invaders of pulpits, and the ring-leading heritors at such meetings; and *The king's letter.*

1674. and to use the standing forces and militia for that end, leaving the punishment of other transgressors to the ordinary magistrate according to law.

A committee appointed.

Upon this the council appointed a committee to take these things under their consideration, and at the same time ordered the chancellor to send out parties to apprehend all conventicle-preachers; particularly messieurs *John Welsh*, *Gabriel Semple*, *Ro. Ross*, *Samuel Arnot*, *Gabriel Cunningham*, *Archibald Riddel*, *John Mosman*, *John Blackadder*, *William Wisheart*, *David Hume*, *John Dickson*, *John Rae*, *Henry Forsyth*, *Thomas Hogg*, *Robert Law*, *George Johnston*, *Thomas Forester*, *Frazer of Brae*, *John Law*, *Robert Gillespie*. And any of the guards who shall apprehend Mr. *Welsh*, or Mr. *Semple*, were promised 400 *L. sterling*, and 1000 merks for each of the rest; nay, the soldiers and their assistants were indemnified of any slaughter committed in apprehending any one of these persons, in case of resistance.

The most remarkable conventicles.

The eminent, faithful and laborious Mr. *Welsh* had, at the desire of many, made a journey through *Fife*, where he preached frequently, sometimes in vacant churches, and oftner in the fields. Other ministers also preached in vacant churches. *Sharp* was an eye-witness to a numerous congregation at *Wolmet-chapel*. And Mr. *William Weir* preached to a crowded assembly in *Magdalen-chapel* in *Edinburgh*; other ministers likewise preached there, for which the town was fined in 100 *L. sterling*; but the meetings most taken notice of were those by messieurs *Johnston* and *Kirkton* in the church of *Cramond*.

Mr. Inglis of Cramond fined.

Accordingly, on the 11th of *June*, the council passed a decree or judgment against the heritors of *Cramond*. And Mr. *John Inglis* of *Cramond* appearing, and confessing he had been six times at the said kirk when conventicles were held there, was fined in the fourth part of his valued rent, amounting to 1036 *l. Scots*, and appointed to ly in prison till it was paid, and longer during the council's pleasure; however, he was set at liberty when he paid his fine. The same day lord *Balmerino* and Sir *John Young* of *Leny*, denying that they had been at any of these conventicles, and taking the oath of *allegiance*, were dismissed; as was likewise Mr. *Charles Oliphant* of *Langtoun-law*, upon declaring that he went to one of these merely out of curiosity, and promising not to go any more, and taking the

Balmerino, &c. dismissed.

the oath of *allegiance*. Thus the reader may see with what briskness the new council went to work. And, the more effectually to suppress what they called unlawful and seditious meetings, they issued two proclamations on the 18th of *June*; the first was to oblige heritors for their tenants. In this all masters of families were ordered to dismiss from their service all who repaired to conventicles, and all heritors, &c. were ordered to require their tenants to subscribe the following bond, *viz.*

‘ I *N. N.* bind and oblige me, that I, my wife, or any of my children in family with me, my cottars or servants, shall not keep or be present at any conventicles, either in houses or in the fields, as the same are defined by the 5th act of the 2d session of his majesty’s second parliament, under the pains therein contained; being for ilk house-conventicle twenty five pounds *Scots* for each tenant labouring land, twelve pounds for each cottar, and for each servant-man a fourth part of his year’s fee; and the husbands the half of these fines for such of their wives and children as shall be at any house-conventicle; and the double of the respective fines for each of the said persons that shall be at any field-conventicle.’ To which is subjoined a clause of registration in common form.

In case tenants refused, they were to be put to the horn, and their escheat or forfeiture to be given to their masters. Besides, heritors were ordered to oblige their tenants for the future, in their leases, or in separate bonds, to engage to abstain from conventicles. And an unlimited power was given to magistrates to charge all they suspected to give security for their good behaviour. I shall leave the reader to make his own reflections on these unprecedented and unreasonable impositions.

The other proclamation was for apprehending rebels and others that is, the holders of and repairers to conventicles; for here it was declared, that whoever should seize convokers to conventicles, or any who have been at them, so as they may be convicted, should have their fines, and, in case of contumacy, their escheats: And whoever should apprehend any minister at conventicles should have 1000 merks, and 2000 merks for messieurs *Welsh, Semple, and Arnot.*

1674. On the 25th of *June* they passed sentence against keepers of conventicles in *Fife*, and the following persons were fined, viz.

Gentlemen fined.				L.
	Sir John Kirkaldy of Grange	—	—	550
	Laird of Reddie	—	—	850
	Scot of Pitlochrie	—	—	1000
	Pitcairn of Pitlour	—	—	1050
	Pitcairn of Latistoun	—	—	200
	Charles Cowan of Corstoun	—	—	333
	Robert Colvill in Balvaird	—	—	100
	Robert Schaw in Auchtermuchty	—	—	49
	James Hamilton of Innerdivot	—	—	150
	Maxwel Provost of Auchtermuchty	—	—	250
	Mr. George Heriot of Ramorney	—	—	983
Making in all				5515

And because the laird of *Reddie* harboured Mr. *Welsh*, he was fined in 2000 merks more ; and *Pitlochrie*, for his alledged impertinent behaviour before the council, in 500 merks more ; and all of them were ordered to ly in prison till they paid their fines. There were 40 or 50 others summoned to appear at this time, who, not answering, were ordered to be denounced rebels. The same day another decret was passed against the keepers of *conventicles* in several places ; at some of which Mr. *John Pringle* of *Woodhead* being present was fined in the fourth part of his yearly valued rent, and afterwards set at liberty upon paying 277 *l. Scots* ; and sundry of the meaner people were denounced for not appearing when summoned.

Letter
from the
king.

On the 30th of *June* the council received a letter from the king, dated at *Windsor* the 23d, wherein his Majesty lets them know what he had been informed of relating to the abounding of *conventicles*, the invading of pulpits, the petition of the women, the resisting of his forces, (for which last there was no ground) and that, for putting an end to all these seditious disorders, he had ordered divers troops of his protestant subjects in *Ireland* to be in readiness at the sea-side in *Ulster* to receive his farther commands ; and had also ordered troops to march to *Berwick* if there should be occasion.—And in the mean time he required them to use their utmost vigour in finding out and bringing to punishment

nishment the ringleaders of the aforefaid seditious and insolent practices, &c. 1674.

On the 2d of *July* the council returned a very com-
plaisant answer to his majesty's letter, and at the same time wrote to *Lauderdale*, giving him an account of all their proceedings, and sent up the following proposal : That, since they found it difficult to get proof against the keepers and frequenters of *conventicles*, his majesty's advocate should have authority to order such persons as shall be informed against for being at *field-conventicles*, to be summoned before the council to give their oaths thereupon, with certification that they shall be holden as confest, or reputed guilty, if they refuse ; and that an act of council be made, warranting the advocate to refer the *libel* or charge to the *oath* of the defendant, and to restrict the same to an arbitrary punishment.

Before an answer came from court the council, on the 9th of *July*, passed another decret against 50 persons in *Fife* for being at conventicles. None of whom appeared except the lady *Colvil*, who, upon producing a certificate from the minister of the parish, and promising not to frequent *conventicles*, was dismissed. All the others were denounced. Two days after this the town of *Glasgow* was fined in 100 *L. sterling*, for a conventicle kept by Mr. *Andrew Morton* and Mr. *Daniel Cargill*. Much about the same time Mr. *Robert Law*, who had for some time been a prisoner at *Glasgow*, was ordered to be brought to *Edinburgh* for keeping of conventicles, and warrants were issued for apprehending messieurs *John King*, *Joseph Wallace* and *Andrew Barton*.

On the 16th of *July* the council received a return from the king, approving of their overture, and requiring them to make an act in the terms of it, which was immediately done. The same day, ——— *Livingston* of *Greenyards*, and ——— *Farquharson* of *Chilbrae* were denounced for being at a conventicle at *Torwood* ; and *Robert Ged* of *Bathridge*, and Sir *John Kirkaldy* younger of *Glaim*, were severely fined. The following worthy persons were at the same time declared rebels, and outlawed, for no other cause than preaching the gospel where they could have opportunity, viz. messieurs *Alexander Lennox*, *David Williamson*, *Alexander Moncrief*, *John Rea*, *David Home*, *Edward Jamieson*, *James Fraser* of *Brae*,

1674. Brae, William Wisheart, Thomas Hog, Robert Lockhart, John Welwood, George Johnston, Robert Gillespie, James Kirkton, John Weir, John MacKilligen, Nathanael Martin, Andrew Donaldson, John Chrylston, William Row, Thomas MacGill, Thomas Urquhart, Thomas Hogg, William Erskine, James Donaldson, Patrick Gillespie, John Gray, James Wedderburn, John Wardlaw, Thomas Douglass, George Campbell, Francis Irvine, James Wallace, Andrew Anderson, John Munniman, George Hamilton, Andrew Mortoun, Daniel Cargill, Alexander Partoun, James Wilson, and Robert Maxwells elder and younger. I would have the reader to observe here, that the managers were so uncorrect, that in this list of ministers outlawed, some of them were dead, others were indulged by the council, and some had never offended since the king's indemnity, who were nevertheless exposed to a suffering lot.

On the 21st of July Mr. James Drummond, who had been a prisoner for some time in *Edinburgh* jail for preaching in families, was set at liberty. But on the 23d the council fined Hary Pitcairn of Lauristoun in 1200 l. Scots, ---- Pitcairn of Pitlower in 2000 merks, George Scot of Pitlochrie, and Charles Cowan of Carstoun, in 1000 l. each; all for harbouring Mr. Welsh. At the same time the magistrates of *Perth* were appointed to apprehend Mr. Alexander Moncrief, an ejected minister; and Archibald Douglass of Cliftonhall, and James Maxwell provost of Auchtermuchty, were fined for being at conventicles, the first in 381 L. and the other in 252 L.

On the 28th of the same month the council discharged messrs. Robert and John Laws and John King, prisoners in the tolbooth of *Edinburgh*, from keeping conventicles, under the penalty of being treated as seditious persons, and obliged each of them to give a bond and surety for 5000 merks to appear when called; and the same day recommended to the bishops to inquire what chaplains and schoolmasters officiated in their respective dioceses without their licence. And,

State of
the royal
burghs.

At the same federunt a great many letters were wrote to the royal burghs through the kingdom, enjoining them rigorously to execute the laws against conventicles; assuring them that, in case of failure, they would exact the fines from them without any abatement. And, as
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a farther evidence of their tyrannical disposition, in regard ' the burghs in *Scotland*, who have by law a privilege of meeting once a year in a body to consider of trade, and of by-laws relating to it, had, in a convention held this year, agreed upon and sent a petition to the king, complaining of some late acts that hindered trade, for the repeal of which there was great need for a session of parliament; and had therefore prayed, that, when the king sent down a commissioner to hold a session, he might be instructed in order to that repeal. This, tho' judged a lawful assembly by the lawyers, especially, says bishop *Burnet*, as they did not petition for a parliament, but only for instructions to the session, was condemned as seditious, and the promoters of it were fined and imprisoned. 1674. *Burnet*, p. 371.

The same 28th of *July* a letter from the king, dated at *Windfor* the 16th, was read in council, declaring that he had wrote to the archbishop of *St. Andrews*, that it was his royal pleasure the bishop of *Dumblain* be translated to the *Isles*; that the bishop of *Brechen* be appointed to preach at the college-kirk of *Edinburgh*; and that the bishop of *Edinburgh* remove Mr. *Turner*, Mr. *Robertson* and Mr. *Cant* from the exercise of the ministry in *Edinburgh*, or any place in his diocese, without licence; and that Mr. *Hamilton* be removed from *Leith*; and therefore his majesty required the council to oblige the bishop of *Dumblain* to repair to the *Isles* within two weeks; and that within ten days Mr. *Turner* remove from *Edinburgh* to *Glasgow*, Mr. *Robertson* to *Auchterless* in the diocese of *Aberdeen*, Mr. *Cant* to *Libertoun*, and Mr. *Hamilton* to *Cramond*, till farther orders. King's letter translating the bishops of *Dumblain* and *Brechen*, &c.

The reader will judge whether this was not the full exercise of the royal supremacy. Bishops and ministers were removed and confined without any process or trial! But that he may have the occasion of this proceeding, we relate,

That, in the months of *May* and *June*, some both of the inferior clergy and bishops, began to complain openly, that the church was not governed in an ecclesiastical way, but in a most arbitrary manner; that *Sharp* acted as a pope, managing all church-affairs without consulting with the other bishops: And that, though there was a law for a national synod*, yet, through his influence, none had been called. *Sharp* and his friends alledged that these complaints were groundless, and Com-plaints of some bishops, &c. * p. 147.

1674. were only fomented by the *country-party*, as it was called, in opposition to *Lauderdale's* administration. Be that as it will, their complaints, and the motion for a *national synod*, were consented to by Mr. *Lawry* bishop of *Brechen*, and Mr. *Ramsay* bishop of *Dumblain*. But the former was prevailed with to come into *Sharp's* sentiments, and leave the latter to manage the affair alone. Among the inferior clergy the ministers named in the king's letter were the most active; for though their diocesan, the bishop of *Edinburgh*, was most averse from a national synod, yet they and some others agreed to present a petition to him, praying his lordship to do his utmost to get his majesty to call such a synod for considering the disorders in the church. When this petition was presented I know not. However, it greatly frightened *Sharp*, and therefore he wrote a whining letter to the archbishop of *Canterbury*, setting forth, That the CHURCH WAS IN DANGER; a remarkable word! and begging he would use his interest with his majesty to prevent the thing desired. *Sharp* likewise laid the matter before the council, who, on the second of *July*, appointed the archbishop of *St. Andrews*, the lord privy-seal, the earls of *Kincairdin* and *Dundonald*, the president and advocate, to examine into the conduct of the four ministers relating to this affair. How this committee proceeded, or what issue they came to, I know not; but accounts of those things were transmitted to his majesty, who wrote the letter as above. There was a meeting of the bishops appointed at *St. Andrews*, and *Dumblain* was ordered to be present, but he declined it.

Sharp's
conduct.

Council's
commis-
sion.

King's
letter o-
beyed.

When the king's letter was read in council, the contents were instantly obeyed; and a macer was sent to intimate the royal pleasure to all mentioned in it. And the same day the bishop of *Dumblain* presented a petition to the council, which they transmitted to the *primate*, that the king might be acquainted with it. But, notwithstanding all that passed, the bishop of *Dumblain*, in his papers, still subscribed himself *Dumblain*, and took the first opportunity to go in person to court. We shall hear more of this matter in the transactions of the following year. I shall only observe, that it was very dangerous, in those days, to propose any thing contrary to the inclinations of those at the helm. But, leaving this matter,

matter, let us return to the proceedings against the *presbyterians*. 1674.

The vacation was now at hand, and therefore, that there might be no interruption in proceeding against *conventicles*, the council, on the 30th of July, gave a commission, in the king's name, to the lord chancellor, the earls of *Mar*, *Kinghorn*, *Kelly*, *Weems*, and *Kincairdin*, the treasurer-depute, and the laird of *Ardross*, or any three of them, to execute the laws against *conventicles*, irregular baptisms and marriages, in the shires of *Fife* and *Kinross*; as also to the chancellor, duke *Hamilton*, &c. for the bounds of *Stirling*, *Perth*, *Lanerk*, *Dumbarton*, *Renfrew*, and *Ayr* shires; and, lastly, to the chancellor, earls of *Caithness* and *Linlithgow*, &c. for *Edinburgh*, *Linlithgow*, *Haddington*, *Selkirk*, *Peebles*, *Berwick* and *Roxburgh* shires; they also had particular instructions given them; and jointly with these the advocate was appointed to issue out warrants, to cite all persons concerned before these commissioners, and to restrict the libel or indictment to an arbitrary punishment, that so they may hold the persons not swearing against themselves as confessed, or treat them as guilty. As none of the bishops were in this commission, the reader need not be surprised to hear nothing of their proceedings. Next day the council wrote to *Lauderdale* an account of what they had done since their last.

In the month of *August* the sufferers had some recess; but when the council met, on the first of *September* they received a letter from the king commending their diligence against *conventicles*, and acquainting them that, for enabling them to maintain the laws and government, he resolved to raise some more forces, and ordered them to raise 1000 foot and three troops of horse. This increase of the standing forces in time of peace was very proper for the support of an arbitrary government, and tended to harass the sufferers.

The same day the council gave warrant for apprehending *Mungo Lockhart* of *Harwood*, *William Listone* of *Collumun easter*, *George Tenant* and *John Brown* in *Calder*, for being at a conventicle in *Calder-muir*, and resisting a party of the guards who were sent to disperse them: And likewise ordained letters of horning, upon the decreets of sheriffs, bailies of regalities, and other inferior magistrates, against persons guilty of being at *conventicles*.

On

1674.

King's
letter a-
bout lord
Cardrofs.

On the 29th the council had another letter from his majesty, wherein he desired them to use all diligence with respect to *conventicles* and other unlawful practices, especially at or near *Cardrofs*; and told them he was informed that some of his guards had, by their order, apprehended one *King*, who was set at liberty upon bail to appear; and that the lord *Cardrofs*, in a peremptory manner, complained of that man's being taken, on account of his being his domestick; and therefore ordered them to require that lord to bring him back to prison.

The same day Mr. *Alexander Burnet* was, by a special order from the king, restored to the archiepiscopal see of *Glasgow*, which he had been obliged to resign some years ago. It was then believed this restoration of the archbishop was the effect of gross *simony*. The bishop's daughter was married to the heir of the estate of *Elphinston*, and had a very large annuity secured to her upon the estate. In a little time she was left a widow. The gentleman who succeeded to the lordship of *Elphinston* made his addresses to lord *Halton's* daughter. My lord was unwilling to engage with an estate so considerably burdened with the bishop's daughter's jointure. At last an expedient was found out: The young lady was prevailed with to renounce her jointure, and *Halton* found means to get the archbishop her father restored to his office and benefice. This made some say, The bishop's money, who gave his daughter an equivalent, was taken, but that of *Simon Magus* was not.

General
Drum-
mond
confined.

Mr. *William Drummond* of *Croimlicks*, some time a major-general, was at the same time ordered to enter prisoner into *Dumbarton* castle. He was obnoxious to *Lauderdale*, who therefore moved that he might be secured. He was kept in close confinement for near four months, and then was permitted to walk about a little in the day time, and return at night.

Lord
Cardrofs
before the
council.

On the first of *October* lord *Cardrofs* appeared before the council, and was required to produce Mr. *John King* against next *November*: He told them, that was not in his power, since, by their orders, Mr. *King* was taken from him, and, after he had been some time imprisoned, was set at liberty, since which time he had not been in his service. Though Mr. *King* escaped at this time, yet he afterwards fell a sacrifice to the fury of his persecutors. The same day they approved the conduct of their

their commissioners for conventicles, and made a present 1674. to *Hugh Stevenson*, one of their clerks, of 500 merks, the fine levied from Mr. King's surety.

On the second of *December* the heritors and kirk-session of *Fenwick* assembled, and appointed Mr. *Muir* of *Rowallan*, younger, to take care to have the laws against cursing, swearing, and other acts of profaneness, put in execution.

Next day the archbishop of *Glasgow* was admitted a counsellor, and the reviving the severities in the west-country was much owing to him. The same day the council banished *Henry Angus* and *James Jaffray* from the shires they lived in, because, when brought before the commissioners at *Stirling* for being at conventicles, they refused to swear against themselves.

I shall finish what I have to relate for this year with the affair of the advocates, which gives us another instance of the arbitrary proceedings of this reign. I take it from bishop *Burnet*. 'A cause being judged in the supreme court of session, the party appealed to the parliament. This was looked on as a high contempt, done on design to make the parliament a court of judicature, that there might be a necessity of frequent parliaments. The judges therefore required all the lawyers to condemn this as contrary to law; which several refusing to do, the king sent down an order to put all from the bar who did not condemn appeals. And when that did not produce the effect desired, they were, by proclamation, banished *Edinburgh*, and 12 miles round it; and a new day assigned them for making their submission, which they were obliged to do. Now, in what a situation must a nation be, when those learned in the law dare not deliver their own sentiments, is easy for the reader to imagine. The same historian tells us, That the government of the city of *Edinburgh* was not so compliant as was expected; so duke *Lauderdale* procured a letter from the king to turn out 12 of the chief of the town-council, and to declare them for ever incapable of publick trust.

The affair of the advocates.
I Burnet,
p. 370.

p. 371.

Things were managed much in the same way during the year 1675. for notwithstanding the many severe laws against preaching and hearing the gospel in private houses and the fields, these meetings, especially in the fields, continued to be very numerous, the violence of the soldiers and the multitude of the hearers obliging them

State of the field-meetings.

1675. to it. And great was the success that attended the ministry there, many being converted thereby. Nay, some ministers who had conformed came, and, after the forenoon's sermon, offered to join them, actually professing their sorrow for joining in the courses of defection at that time. In several places they changed their way, forsook their churches, and upon their candid acknowledgments were received both by the field-preachers and their people. It is true the severity of the laws occasioned that not many gentlemen of estates durst venture to come to *these*; but their ladies, and not a few of good fashion, attended daily. In short, these meetings were so numerous, that the managers, not being able to reach them all, found it necessary to overlook what they could not help. The bishops indeed violently pushed prosecutions; and soldiers and spies were employed to search them out and apprehend the ministers, and the most noted of their hearers, and to disperse them; which obliged many to come with *arms* for their own defence; and some scuffles ensued in several places. And therefore various methods were taken to discourage and suppress *conventicles*. But I shall relate the occurrences as they fell out in the order of time.

Synodical meeting.

There was a meeting of *presbyterian* ministers at Glasgow on the 20th of *January* for *synodical* correspondence; at which they came to several resolutions, and made sundry proposals too tedious to be here inserted; especially since the severity of the times prevented them from taking effect.

The indulged get little stipend.

The ministers who had accepted the *indulgence* were brought under hardships on account of their not being paid their stipends; which obliged several of them, in the month of *January*, to petition the council for warrants to receive them; which a good many of them obtained; but at length, upon some pretence or other, the *prelates* got an act of council, on the ninth of *March*, 'ordering that no *indulged* ministers get warrants for 'their stipends, without testificates, from the sheriff or 'magistrates in the bounds, that they have not kept *conventicles* since the 24th of *March* 1674.' But, says Mr. *Wodrow*, this restriction did not affect many of them. However, some months after this several of them were brought to great inconveniencies, as we shall relate.

Mr.

The same day the reverend Mr. *John Greg* was before the council for keeping a conventicle at *Leith-mills*. He owned

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owned the charge, and was sent prisoner to the *Bass*, 1675. where not a few died. After he had been imprisoned there for the space of eight months, his confinement was changed to the parish of *Carstairs* in *Lanerk-shire*.

About this time letters came from court, dated the 27th of *February*, ordering Mr. *James Stuart*, son to *Sir James Stuart* late provost of *Edinburgh*, to be apprehended, with all his books and papers, and made close prisoner in *Edinburgh*, and to be allowed no converse with any, either by word or writing. This gentleman was supposed to have published a pamphlet, intitled, *An account of Scotland's grievances by reason of the duke of Lauderdale's ministry, humbly tendered to his sacred majesty*. Which galled the party so much, that though none of them were able to confute the facts he mentioned, they were resolved to take the severest course they could with him. Mr. *Stuart*, knowing their designs, went out of the way. But his cabinets were sealed up, by order of council, on the 10th of *March*, and a strict search was made for him through *Edinburgh*; which he escaped, and, during his retirement, made such proficiency in study and piety, that he afterwards made a considerable figure, and discharged the office of king's advocate with great applause for many years after the revolution.

The prelates complaining of the increase of conventicles about *Edinburgh*, orders were given to lord *Ross's* troop to march in different parties and suppress them. On the 11th of *March* the town of *Edinburgh* was fined in 100 *L. sterling* for conventicles alledged to be kept within their liberties. And next day four companies of foot and a troop of horse were ordered to quarter in *Glasgow* for the easier suppressing these meetings.

As the duke of *Lauderdale* had the chief management of affairs, it is proper that we take a view of what passed in the *English* parliament in relation to him. The parliament sat down there in *April*, and the commons immediately fell upon *Lauderdale*; and those who knew what had passed between him and Dr. *Burnet* moved that the doctor should be examined before a committee. I shall give this examination in the doctor's own words. 'I was (says he) brought before them. I told them how I had been commanded out of town.—I was next examined concerning his design of arming the *Irish* papists. I said, I, as well as others, had heard him say, He

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Orders against Mr. Stuart.

Edinburgh fined, &c.

Dr. Burnet's examination before the commons.

p. 379.

1675. He wished the *presbyterians* in *Scotland* would rebel, that he might bring over the *Irish* papists to cut their throats. I was next examined concerning his design of bringing a *Scotish* army into *England*. I desired to be excused as to what had passed in private discourse, to which I thought I was not bound to answer, unless it were high treason. They pressed me long; and I would give them no other answer. So they all concluded that I knew great matters, and reported this specially to the house. Upon this I was sent for and brought before the house. I stood upon it, as I had done at the committee, that I was not bound to answer; that nothing had passed that was high treason: And as to all other things, I did not think myself bound to discover them. I said farther, I knew duke *Lauderdale* was apt to say things in a heat, which he did not intend to do. And since he had used myself so ill, I thought myself the more obliged not to say any thing that looked like revenge for what I had met with from him. I was brought four times to the bar. At last I was told the house thought they had a right to examine into every thing that concerned the safety of the nation, as well as into matters of treason, and they looked on me as bound to satisfy them, otherways they would make me feel the weight of their heavy displeasure, as one that concealed what they thought was necessary to be known; upon this I yielded, and gave an account of the discourse formerly mentioned.

Mr. *Wodrow*, in his appendix, Book II. No. 47. says, That the house not being fully satisfied with his answer, he was again called in to explain himself; and being withdrawn, some heads of his testimony, to avoid mistakes, were drawn up in writing; and being again called, and the same read to him, and having amended it in some particulars at the bar of the house, the same is as follows, viz. That, coming into *England* out of *Scotland* the first *Saturday* in *September* 1673. he went to visit the duke of *Lauderdale* in his lodgings at *Whitehall*, where the duke and he conversed of the affairs of *England* and *Scotland*, and particularly of the proceedings of parliament concerning the declaration for suspending the penal laws in matters ecclesiastical; and being afterwards asked, *Whether if Scotland, being called to assist the king, they would assist him or not?* He answered, *He thought they would not*; But the duke replied, *He believed they would,*
and

and that his coming into England would bring a great many. 1675.
That the duke asking him of the affairs of Scotland, he answered, *The people of Scotland, that were at such a distance, could not imagine what to think of the king's speech and declaration; whereunto the duke replied, Hinc illæ lachrymæ! and that all had forsaken the king but himself and lord Clifford.* This is much the same with what the bishop himself says of his conversation.—— Upon this and other informations the parliament drew up a very warm address against *Lauderdale*, but to no purpose; for he continued firm in the king's favour, and in that of the duke of *York*; so that in *Scotland* every thing was managed as they saw proper.

In the month of *May*, *Henry lord Cardross* being in *Edinburgh*, and having left his lady at home by herself, Sir *Mungo Murray*, accompanied with *Walter Stuart*, *Henry Graham*, *George Murray*, *James Spotiswood*, *Andrew Hume*, and others, went in a tumultuous manner to his house of *Cardross* in the night-time, and, without producing any orders, frightened the lady, then big with child; made her get out of her bed, broke open his lordship's closet where his papers lay; and having seized upon Mr. *John King* his lordship's chaplain, and Mr. *Robert Langlands* tutor to *Cardross's* brother, (the late colonel *John Erskine* of *Carnock*) carried them away. All this his lordship laid before the council in a respectful petition, wherein he represented clearly, that this outrage was illegal, and an encroachment upon the privileges of peers, by forcibly taking away his domestick-servants at such an unseasonable time, though they had been accused of no crime, and obliging his lady, then big with child, to get out of her bed, &c. But such was the iniquity of the times, that, instead of paying any regard to his reasonable petition, they made use of it as a handle against him; for some country-people, who had profited by Mr. *King's* ministry, having rescued him from the soldiers, this was made a handle of for prosecuting lord *Cardross*, though he was then at *Edinburgh*, and so could be noways accessory to the rescue.

In the beginning of *June* a paper-war was commenced between the archbishop of *St. Andrews* and the bishop of *Dumblain*, who had been translated from his bishoprick to that of the *Isles*, for declaring his sentiments in relation to a national synod *. The two bishops were then at *London*; but, as the matter of the controversy was personal, * p. 325.

1675. personal, respecting their conduct to one another, I shall not trouble the reader with it. The bishop of *Dumblain* answered all the interrogatories put to him, by a meeting of the bishops at *St. Andrews*, with great openness and candor.

King's
letter.

Mr. King's rescue was soon known at court, so that, on the 12th of *June*, his majesty wrote to the council complaining of this attempt upon his forces, and the rescue of Mr. King; together with the increase of *conventicles* in *Tiviotdale* and *East-Lothian*; that the indulged ministers kept irregular and disorderly communions, appointed *fasts*, &c. In consequence of this letter a committee was appointed to consider the contents of it. And on the 22d of *June* the advocate was ordered to form a libel against lord *Cardross* and others, on account of Mr. King's rescue.

Act ap-
pointing
garrisons.

And the better to suppress *conventicles*, the council, on the 13th of *July*, appointed garrisons in the following houses, consisting each of a company of foot and 12 horse, viz. at *Bridgehouse* in *Linlithgowshire*, at *Cardross* in *Perthshire*, at *Glentirring* in *Stirlingshire*, at *Merns* in *Renfrewshire*, at *Douchill* in *Kinrosshire*, at *Dean* in *Kilmarnock* in the shire of *Ayr*, at *Airdry* in *Lanerkshire*, at *Newark* in *Selkirkshire*, at *Hunthill* in *Roxburghshire*, at *Blane* in *Berwickshire*, in the laird of *Riddel's* house in *Roxburghshire*, and at the castle of *Dumfries* in the shire of *Dumfries*. The officers and soldiers were to be at the said places by the first of *August*. Burnet says, 'That two were the chief dwelling-houses of two peers, the rest were the houses of gentlemen that had gone into the party against duke *Lauderdale*. And though these were houses of no strength, and not at all properly situated for suppressing of *conventicles*, yet they were taken; soldiers were put in them, and the countries about were required to furnish these small garrisons with all things necessary. This, says that historian, was against the express words of the law that had lately settled the militia.'

A fast
appointed.

On the 15th of *July* they wrote to *Lauderdale*, giving him a detail of their proceedings since the 24th of *March* 1674. They likewise appointed a solemn fast to be observed on account of a long and threatening drought, which had a melancholy prospect as to the fruits of the ground.

Mr.
Veitch,
&c. sum-
moned.

The same day most of the *indulged* ministers, being represented as having acted contrary to their instructions, and

and against the law, Sir *John Nisbet* the advocate was 1675.
ordered to have them summoned before the council. Accordingly Mr. *James Veitch* at *Mauchlin*, Mr. *John Gemble* at *Symington*, and Mr. *Hugh Campbel* at *Muirkirk*, for having married and baptized in other parishes, not administering the Lord's supper upon the same day, admitting persons of other parishes, without certificates from the ministers of them, ordaining several persons to the office of the ministry, without authority from the council, and taking upon them to appoint days of fasting and humiliation; for these heinous crimes were the above ministers solemnly charged to appear and answer. But though these and sundry others were summoned, yet it seems they did not appear. Mr. *Wodrow* thinks that the matter was made up by lord *Stair* and other wellwishers, as nothing could be laid to their charge, but keeping fasts in their own parishes for the same reason that the council appointed one.

Soon after this the lord *Cardross*, instead of having any redress for the outrage that was committed in his house, was most unjustly prosecuted: For, on the 5th of *August*, the affair of Mr. *King's* rescue was before the council, and sentence was passed against this excellent nobleman for being concerned in that attempt, because some of his servants were there, and finding that his lady had been present at many conventicles. They therefore ordered his lordship to enter the castle of *Edinburgh*, and remain confined there during his majesty's pleasure, and fined him in 1000 *L. sterling*, and in 1350 *l. Scots* more, because he did not oblige his tenants to give bond not to keep conventicles.

Next day one *John Sandilands* was fined in 300 merks for being at a conventicle near *Bathgate* in the beginning of the year. Upon the payment of which, and giving bond for 1000 merks if ever he went more to those meetings, he was set at liberty.

On the same day they took under consideration the garrisons appointed for the houses above mentioned, and passed an act enjoining the major-general to see that the officers be careful to hinder any disorders from being committed by any under them, and to keep good intelligence for preventing all disorderly meetings, and for apprehending the preachers at conventicles, or any ministers who by the council are declared fugitives, &c. One would think that the appointment of such garrisons

1675. sons in the time of peace was unprecedented, illegal, and subversive of the liberty of the subject, especially as this was enacted without any order from the court, or so much as acquainting the king till it was done; besides the charge of maintaining them was a great burden on the country. At length it appeared so illegal and unreasonable, that peaceable gentlemen and subjects should be quartered upon like enemies, that it was found fault with at court; and though the *bishops* defended it for some time, yet they were obliged to drop it. However, the country groaned under this grievance more or less for several years.

Acts against conventicles. This same day the acts against conventicles were lengthened out for three years longer, and a new commission was given to the earls of *Winton*, *Linlithgow* and *Wigton*, lord *Belhaven*, &c. for suppressing them and other church irregularities.

Letters of intercommuning. At the same time the council gave out letters of *intercommuning* against the following ministers, gentlemen, ladies, and others, whose names I here insert from the letters themselves, *viz.* messieurs David Williamson, Alexander Moncrief, William Wisheart, Thomas Hogg, George Johnston, Robert Gillespie, John MacGilligen, John Ross, Thomas Hogg, William Erskine, James Donaldson, Andrew Anderson, Andrew Morton, Donald Cargill, Robert Maxwells elder and younger, and James Fraser of Brae. Sir John Kirkaldy of Grange elder, — Hamilton of Kinkell, James his brother, John Geddy in Falkland, John Arnots of Pitgrumzies, elder and younger, Archibald Arnot in Newburgh, Mr. Thomas Arnot in Collesfy, Andrew Arnot merchant in Kirkaldy, Thomas Schaw elder of Gospitrie, his son David, Henry Schaw in Balgony, George Fleming in Balbuthie, William Sethrum in Lundimill, John Miller in Dinork, Andrew Kinnier merchant in St. Andrews, John Thomson in Fawfield, — Gowan in Crail, Robert Herbertson in Tarbet, — Douglas portioner in Collesfy, Thomas Blythe heritor in Kennoway parish, — Weems, lady Colvil, John Adam bailie of Strathmiglo, James Pryde in Nether-Urquhart, David Coventry and John Henderson in Arlary, Robert Stark in mills of Forth; William Page, John White and Richard Clidsdale in Cowpar of Fife, lady Balcanquell, colonel Robert Halket, John Smith in Dundee, John Balfour in Lethum, Alexander Walker in

in Friertoun, George Spence in Fordel, Patrick Melvil in Burnside, ——— Wardlaw heritor in Kirktoun, Colvil, lady Bailly in Dinnino parish, James Grieve and Andrew Kinnier in St. Andrews, James Lothian in Kingsbarns; Mr. James Bonnar of Gregstoun, John Scot in Lathones, lady Colerny, David and Alexander Campbells in Kirkaldy, William Livingston of Greenyards, ——— Farquharson of Shielbrae, James Somervell at the boat of Cardross, Hary Dow of Westerpolder, Mr. John King chaplain to the lord Cardross, John Doik portioner of Murdistoun, James Muir portioner of Burdistoun, lady Pittendreich in Logie parish, Robert Fork portioner of Kilpatrick, John Starks elder and younger of Balknock, ——— Symer of Brathnes, William Crawford of Powmill, John Lundy of Balfard, Mr. James Lentrone and his spouse, John Collier of Lochgelly, dame Anna Riddel lady Collerny, ——— ladies Unthanks elder and younger, John Fairfoul of Kinloch, dame Margaret Farquhar lady Halhill, ——— Hamilton relief of Francis Galloway of Todshaugh, Simon Alexander feuar in Kirkliston, and James Wilkie tenant in Cliftonhall. The great crimes for which these were *intercommuned*, were their preaching or hearing at *conventicles*, or not appearing when summoned, when they knew that by appearing they must either renounce their principles, or fall a sacrifice to the resentment of their persecutors. They chused therefore to keep out of the way; and now they were *intercommuned*, not only declared rebels, (*that* many of them were before) but by these letters they were cut off from all society in the kingdom of *Scotland*; and it was declared, that whoever should receive, harbour or converse with them, either by word or writing, or any other way, or supply them with meat, drink, clothes, or any other of the accommodations or necessaries of life, should be pursued with rigour, as guilty with them of the same crimes; and all sheriffs, &c. and their deputies, were ordered to apprehend them wherever they can be found. The reader therefore cannot be surprised that they quitted their habitations and wandered about from place to place, not like a sort of *banditti*, as bishop *Burnet* does wantonly, if not wickedly, say, p. 399. but rather as *faithful confessors*, who being persecuted in one place fled to another, according to the direction of their great Lord. And as to their falling into a fierce

1675. and savage temper, as the same historian saith, though like had begot like it had been no wonder. However, the most that can with truth be said of them is, that they looked upon and represented their persecutors as enemies to God as well as to them, which they had too great reason for doing.

A remarkable
communion at
Obsdale.

On the same 6th of *August* the council wrote to the earl of *Moray* to put the laws in execution against keepers of *conventicles* in the shire of *Elgin* and the neighbouring places. There were not many *presbyterian* ministers on the north of the *Tay*; however there were some, as Mr. *John MacGilligen*, Mr. *Anderson*, Mr. *Frazer* and Mr. *Thomas Ross*, who had much of the divine presence with them, and great success attending their ministry this summer. Mr. *MacGilligen*, with other *presbyterian* ministers in that country, were *intercommuned*, yet this did not discourage them in their work. But, as many serious people longed for the administration of the Lord's supper, so, after much pains in preparing them for that solemn ordinance, both by publick preaching and from house to house, he administered that sacrament in *September* at *Obsdale*, in the house of the lady dowager of *Fowlis*. He was assisted by Mr. *Hugh Anderson* minister at *Cromartie*, and Mr. *Alexander Frazer* minister then at *Tiviot*, afterwards at *Abbotshall*. And such an effusion of the spirit of God was vouchsafed on that occasion, that, however many in this age may look upon these things as *enthusiastick*, yet the eldest christians there declared they had never been witnesses to the like. The people seemed to be in a transport, and some were almost at that, *whether in the body, or out of the body, I cannot tell*. And even the hearts of strangers were wrought upon. So that however they were persecuted by men, yet they were owned by God.

At this communion they were very providentially kept from disturbance: For the design of the solemnity taking air, Sir *Roderick Mackenzie* of *Findon*, the sheriff-depute, at the instigation of the *bishop*, sent a party to apprehend Mr. *MacGilligen*. But when they came to *Alnes*, the place of his residence, where they expected to have found him, they spent so much time in pillaging his orchard, that the forenoon's service was over before they got to *Obsdale*, upon which the ministers retired; and the party, not finding Mr.

Mac-

MacGilligen, marched off, and thereby gave them an 1675. opportunity of meeting again unmolested in the afternoon. However, this good man was obliged to abscond, and we shall relate what he suffered next year in its proper place.

On the 2d of *September* the council committed *Sir Sir Patrick Hume* of *Polwart*, afterwards earl of *Marchmont*, to prison, for refusing to contribute for the support of the garrisons above mentioned, which he justly looked upon as a sensible incroachment upon the liberties of the subject; and because, when a sentence was passed against him, he gave in a bill of suspension to lord *Collingtoun*, and took instruments upon his refusal of it, this was constructed an high affront not to be born with.

Next day all the *indulged* ministers in the synod of *Glasgow* got a charge of horning to pay the ordinary dues to *Ludovick Fairfoul* clerk to the synod, and to *Mr. David Clunie* their burfar. Some paid, others refused. The same day the council wrote to the king, complaining of *Polwart's* giving in a bill of suspension to the lord *Collingtoun*, and that they had imprisoned him on that account. On the 5th of *October* they received his majesty's answer approving of their conduct, and requiring them to declare him incapable of all publick trust, and to send him prisoner to *Stirling-castle*.

On the 4th of *November* the reverend *Mr. Thomas Ross*, in the shire of that name, was apprehended for *conventicles*, and imprisoned in *Tain*, and afterwards sent to the *Bass*, where he continued for some time with others of his brethren.

Little more occurs during the rest of this year; only, in *December*, the council gave a commission, much of the same nature with the former, to the two ARCHBISHOPS, and the earls of *Seaforth* and *Dundonald*, concerning *conventicles*, which were the eye-sore of the *prelates*. On the 16th of *December* the council, finding that *Mr. James Mitchel* had endeavoured to make his escape, ordered him to be secured in a closer place in the tolbooth.

I shall only observe, that, as many in the shire of *Berwick* appeared against the arbitrary proceedings of these times, so the fines levied by the earl of *Hume* in that shire, during this year, for *nonconformity*, amounted

1675. to 26,666 l. 13 s. 4 d. Scots; whereof, in the parish of Gordon alone, 3328 l. 4 s. Scots. From which the reader may easily form a judgment of the vast oppression of the people, by the fines imposed for *nonconformity* and *conventicles*.

C H A P. XI.

Of Mr. Mitchel's torture; the proceedings of the council; the circumstances of the indulged; the prosecutions for conventicles; the occasions of the Highland-host, and other occurrences to the end of the year 1677.

1676. **N**otwithstanding the letters of *intercommuning*, and the severe penal laws in force, and though the soldiers in the garrisons were diligent in harrassing, robbing, wounding and imprisoning whom they reckoned haunTERS of conventicles, yet these meetings could not be suppressed. The ministers would preach, and the people would hear, being in *nothing* terrified by their *adversaries*. The Lord's supper was likewise administered in several places. Mr. *John Law*, after the revolution one of the ministers of *Edinburgh*, dispensed that ordinance, in the night-time, to a numerous meeting at *Kippen*, being assisted by Mr. *Hugh Smith* and Mr. *Matthew Crawford*. Mr. *Alexander Jamison* and Mr. *Hugh Smith* administered the same ordinance at *Huggs* near *Glasgow*; and at another time Mr. *Smith* administered it to his own parishioners at *Eastwood*, assisted by messrs. *Will. Thomson*, *John Ray* and *Matt. Crawford*, which proved sealing times to many. (Mr. *Jamison* died some time this year. He had been professor of philosophy at *St. Andrews*, and had a patent to be professor of divinity, but did not accept, though all knew he was well qualified for it, being a person of great piety and learning.) These things much galled the *bishops*, wherefore they set the managers to work in order to put a stop to them. But, to be more particular,

Debates
between
Hamilton
and
Lauderdale.

About the beginning of the year 1676. duke *Hamilton* went to *London*, where the king was pleased to hear some of his complaints against *Lauderdale*, in presence of the duke of *York*, the earl of *Athol*, (now made a marquis) and others. The former urged the miserable circumstances of many country people, who were fined, confined, banished, &c. for their *nonconformity*, and all through

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through ill advice and unjust representations made to 1676.
the government. *Lauderdale*, on the other hand, accused
Hamilton, and kept his ground, so that at length *Hamilton*
left the court. The former thus prevailing, things
were carried with a high hand against the *nonconformists*.

On the 6th of *January*, Mr. *Henry Knox*, the episco- Riots
pal minister at *Dunscore*, complained, that, on the 28th complain-
of *December* last, his house had been robbed, himself and ed of.
wife beat by six or seven persons; and on the 27th the
minister of *Gargunnoch* complained of a riot of the same
kind. Wherefore the council, on the 10th of *February*,
fined the heritors of *Dunscore* in 5000 merks, and those
of *Gargunnoch* in 6000, to be paid to their ministers.
These ministers would have had no cause to complain
had they met with a riot once every year.

Mr. *James Mitchel* *, having been some years in pri- Mr.
son, and having refused to own what he had confessed be- Mitchel
fore the council, in presence of the justiciary, was order- put to tor-
ed, this 6th of *January*, to be examined by torture, con- ture.
cerning his being in the rebellion 1666. as it was called. p. 314,
But seeing there was no proof of his being in that insur- 315.
rection, and that it had happened near ten years before,
it was certainly hard measure to torture him for that
now. However, a committee was appointed, of which the
earl of *Linlithgow* was preses. Mr. *Mitchel* was brought
before them the 18th of *January*, about six in the even-
ing. The earl told him, He was brought before them
to see whether he adhered to his former confession. He
answered, ' My lord, it is not unknown to your lord-
ship and others here present, that, by the council's or-
ders, I was remitted to the lords of *justiciary*, before
whom I received an indictment at my lord advocate's
instance, whereby I was to be forfeited of life and for-
tune, although I have no fortune. To which indict-
ment I answered at three several diets. And the last
diet being deserted by my lord advocate, I humbly con-
ceive, that, both by the law of the nation, and practick
of the court at that time, I ought to have been set at li-
berty; yet notwithstanding I was, contrary to law, e-
quity and justice, returned to prison; and upon what
account I am this night before your lordships I know
not.' The preses told him, he was not accused before
them either upon life or fortune, but called to see whe-
ther he would own his former confession. Mr. *Mitchel*
answered, That he knew no crime he was guilty of, and
therefore

1676. therefore no such confession as was alledged.' Upon this the treasurer-depute said, The pannel was one of the most arrogant cheats, liars and rogues he had known. The prisoner replied, ' My lord, if there were fewer of those persons you have been speaking of in the nation, I should not now be standing this night at the bar.' After some farther discourse he was remanded to prison.

On the 22d he was again brought before them in the lower council-house, when a paper was produced, alledged to be subscribed by him; and being interrogated as above, he said, My lord, I acknowledge no such thing. The preses, said, Sir, you see what is on the table, (meaning *the boots*) I will see if these will make you do it. Mr. *Mitchel* answered, ' My lord, I confess, that, by torture, you may cause me to blaspheme God, as *Saul* did compel the saints; you may compel me to speak amiss of your lordships, to call myself a thief, a murderer, &c. and then pannel me upon it; but if you shall, my lord, put me to it, I here protest before God and your lordships, that nothing extorted from me by torture shall be made use of against me in judgment, nor have any force in law against me or any other person. But to be plain with you, my lords, I am so much of a christian, that whatever your lordships shall legally prove against me, if it be a truth, I shall not deny it; but, on the contrary, I am so much of a man, and a *Scots* man, that I never held myself obliged, by the law of God, nature, or the nation, to be my own accuser.' So that, still persisting in refusing to own the subscription of the paper they had produced, he was again sent to prison.

On the 24th of *January* the prisoner was brought before the justices, and the executioner and the boots were presented. He was again interrogated, as above; but, persisting in his refusal, he was tied in an elbow chair, and ordered to be tortured with the boots. The executioner asking which of the legs he should take; the lords said, Any of them. And he taking the left, Mr. *Mitchel* said, Since the judges have not determined, take the *best* of the two, for I freely bestow it *in the cause*, and so he put his right leg in the engine. Upon this the advocate desired leave to speak a few words, but continued his discourse for a considerable time. Upwards of thirty questions were proposed to Mr. *Mitchel*, particularly concerning the affair of *Pentland*, to see if they could find him in a contradiction. But perceiving their

their design, and the wedge pinching the boot, and pain- 1676.
 ing him most sensibly, he spoke as follows. 'My lords,
 (not knowing that I shall escape this torture with my
 life) I beseech you to remember what *Solomon* saith, *He*
who sheweth no mercy shall have judgment without mercy.
 And if there be any here present, as I hope there are
 few or none, whose disposition is so eager in pursuing
 after innocent blood, that nothing else than a full
 draught will satisfy them; I say, let such remember
 what is spoken *Rev. xix. 5, 6. Thou art righteous, &c.*
 And now, my lords, I do freely and from my heart for-
 give you, who are judges sitting on the bench, and the
 men who are appointed to be about this horrid work,
 and also those who are vitiating their eyes beholding
 the same; and I do intreat that God may never lay it
 to the charge of any of you, as I beg that God may
 be pleased, for his Son Christ's sake, to blot out my
 sins and iniquities, and never lay them to my charge
 here nor hereafter.'

The questions being all over, the executioner took
 down his leg from a chest, where it lay all the while in
 the boot, and thrusting in his shelve began his strokes,
 at each of which they asked if he had any more to say.
 He answered, No more, my lords. There were nine
 strokes given on the wedge, at the last of which he
 fainted through the extremity of pain; so that the ex-
 ecutioner cried out, *My lords, he is gone, he is gone.*
 Then they commanded to leave off the torture, and,
 rising from their seats, went away; after which he was
 carried back to prison in the chair in which he was tied
 during the torture. We shall hear more of him after-
 wards.

It is true Mr. *Mitchel* had made a confession upon the *Remarks.*
 promise of his life; but the managers having revoked
 their promise, because he would not adhere to his con-
 fession before the lords of justiciary, and to be his
 own accuser, the reader must determine how far he
 was to blame now, in not owning his confession judici-
 ally, as they had judicially revoked the condition upon
 which the confession was made: And to put a man to
 torture, for finding out things for which they had not
 the least proof, seems to be unprecedented and cruel;
 and to bring him to a farther trial, after torture, appears
 to be unjust.

On

1676. On the 10th of *February* several persons were fined for being at conventicles, as *Durham of Largo*, 1200 *l. Scots* for harbouring *Mr. John Welsh*, and 2500 *l.* for being at two conventicles where he preached. This was either the second or third time that this gentleman was fined. *Ed. Gillespie* was fined in 200 *l.* *R. Richardson* 100 *l.* colonel *Ker* and lady *Whiteslaid* 500 merks each, and messrs. *Stuart*, *Stirling*, *Hamilton*, 100 *l. Scots* a-piece; all for being at a house-conventicle in *Edinburgh*; and, that they might be punished twice for the same fault, the magistrates were likewise allowed to fine them for their relief. Such was the justice of these times!

Severity
to prisoners
at
Stirling.

At this time some prisoners in the tolbooth of *Stirling* met with an uncommon piece of severity. About the end of 1674. fifteen men were imprisoned at *Stirling* for being at a conventicle; eight of them, by some interest, got out after 15 months confinement, the other seven laid their deplorable case before the council. *Charles Campbell*, one of these, was upwards of 60 years of age, *John Adam* near 70, and some of the rest were under great bodily indisposition: But such were the tender mercies of these councillors, that they made a present of them to one captain *Maitland*, an officer in the *French* service. An order came for this end to the magistrates of *Stirling*, signed by *Linlithgow*, *Halton*, and *Collingtoun*. Accordingly, when every thing was got ready, about midnight, on the 18th of *February*, the poor men were all (except one *John Paterson* who was let out some days before as in a dying condition) brought forth, without having the least previous notice, and delivered to about 50 foot soldiers, who carried them off fettered and tied to one another; but such is the support of a good conscience and a good cause, that they all went off with chearfulness, leaving their wives and children behind them.

About this time lord *Cardross* sent up a petition to the king; notwithstanding his majesty wrote to the council, the 24th of *February*, requiring them not to set him at liberty till he had made full payment of the fine imposed upon him. In the same letter Sir *Patrick Hume* of *Polwart* and lieutenant-general *Drummond* were ordered to be set at liberty, only the former was to remain incapable of all publick trust till farther orders.

Orders for
the bishops,
&c.

On the first of *March* the archbishop of *St. Andrews*, and the bishops of *Edinburgh* and *Aberdeen*, were appointed

pointed to inquire if all the masters of the universities and colleges had taken the oaths of *allegiance* and *supremacy* according to law. Orders were likewise given for making a strict inquiry, whether all magistrates of burghs and other inferior officers had signed the *declaration*, and to prosecute such as had not.

The same day a very severe proclamation was emitted against *conventicles*, by which the decay of religion and increase of profaneness is ascribed to the separation from publick worship, and the frequency of *conventicles*. But the truth is, the decay of religion, &c. was chiefly owing to the bad practices of the *incumbent clergy*, and the want of discipline in the established church, as several of themselves have acknowledged; whereas the preaching of the *ejected* ministers in private houses, and in the open fields, had a singular tendency to suppress vice, and turn many to righteousness, and was remarkably blessed of God for these valuable ends; but every thing that was evil must now be attributed to *conventicles*. By the said proclamation, *papists*, according to the custom of the times, were blended with *presbyterians*; and magistrates were ordered to prosecute them, and apprehend *intercommuned* persons and fugitives. However, *papists* were not much startled thereat, for they knew that they had little to fear from the threatnings of this time. What follows was still harder; all *preachers who do not attend publick worship*, that is, hear the *incumbents*, at their own parish-churches, before the first of *June*, were to be punished for *non-conformity*. If this was not persecution for conscience sake, the reader must judge what is. All who *harboured the intercommuned* were made liable to the same pains with *them*, and a reward of 500 merks was ordered to be presently paid to any who should discover such. All inferior judges and magistrates were threatned if they did not execute the laws. The fine of 500 merks was imposed upon each burgh where a *conventicle* was kept, besides the pains mentioned in their *bond* to the council. It was farther declared, that the heritors shall be fined in a year's rent of the house where any such meeting should be held; and, to encourage *informers*, a part of this fine was promised to *them*. In short, if any chaplain, schoolmaster, or pedagogue, was entertained without a licence from the bishop of the diocese, a nobleman

1676.

Proclamations against conventicles.

1676. was to pay 3000 merks, a gentleman 1200, and a burges 600.

Commit-
tees for
suppres-
sing them.

Great were the hardships of *non-conformists* in England at this time ; but nothing could exceed the persecuting spirit the managers in Scotland discovered. The soldiers were the daily executioners of the laws. And now and then the council sent special commissions to particular persons for suppressing *conventicles*. Accordingly, on the said first of *March*, a committee was ordered to sit at *Edinburgh*, another at *Glasgow*, another at *Stirling* and in *Fife*, and one for *Aberdeen-shire*, *Moray* and *Ross*. I shall have occasion to relate the proceedings of that at *Glasgow* in its proper place ; only at this time I observe, that a very strict search was made for *conventicles* and *ejected* ministers in *Glasgow* and other burghs, and the town of *Perth* was fined.

Procla-
mation a-
bout the
indulged
ministers.

* p. 290.

The clamour made by the *episcopal* clergy, in the beginning of the year, against the *indulged* ministers, for breaking their confinement and the instructions given them by the council *, produced a new proclamation, dated this first of *March*, wherein particular notice was taken of the first four rules ; but the two last, relating to their attending on the *diocesan* meetings, and paying the dues to the clerk and burfar of the *diocesan* synod, were omitted. The proclamation concludes thus : ‘ And whereas it is informed, that the said *outed* ministers, *indulged* as aforesaid, at least many of them, have violated and contravened the foresaid orders and instructions (upon which terms they were permitted and indulged to preach and exercise the other functions of the ministry) whereby many disorders are occasioned, the said lords do therefore of new again require and command all these *indulged* ministers to keep and observe the foresaid orders and instructions in time coming, and specially for keeping within the bounds of their own parishes, and celebrating the communion upon one and the same Lord’s day, as they will be answerable at their peril. And ordain these presents to be printed, and copies thereof sent to the several ministers.’ And the same day, as my author found from the registers, the council ‘ discharged the *non-conforming* ministers to admit any of the ministers not licensed by law to their communions or pulpits, and, if they disobey, appointed the bishop of the diocese to *depose* them.’

From

From this additional order, and the clause within the 1676. parenthesis (upon *which terms* they were permitted and *indulged* to preach and exercise the other functions of *Remarks* the ministry) one would be apt to imagine that this proclamation was intended to *divide presbyterians* among themselves; and it is certain the *indulgence* proved the occasion of much division. They who could not comply therewith on account of the *erastianism* that run through the whole of it, condemned those who complied, as renouncing *presbyterian* principles, because it was said that the observation of these instructions was the *terms* upon which they were *indulged*; and therefore, when they accepted of the *indulgence* upon such *terms*, they consented to receive their ministry, and the free exercise of it, on these conditions; so that, whether they punctually observed them afterwards or not, the bargain was established. And though these instructions, when first given, were not expressly so called, yet the manner of proposal was such, as all who would not willingly be ensnared might have been convinced, that *so*, and no otherways, they were intended, and, upon the matter, could bear no other construction. On the other hand, they who had clearness to accept of the *indulgence*, though they could not observe the rules and instructions given, argued, that they did not look upon these as the *conditions* of their *acceptance*, but as the impositions of the magistrate; as the reader will see from a petition of the reverend Mr. *Thomas Wylie*, occasioned by the above mentioned proclamation, of which I shall give the following abbreviate.

‘ *Most honourable,*

‘ I would most willingly have forborn this address, if
‘ not constrained thereto by your lordships late act.--
‘ The act *September 3. 1672.* in its complex contrivance, with the other two of the same date, were not
‘ a little grievous to many, and to me: Yet,----looking upon these rules in the second act as enjoined *sub pena*, I resolved (having an invitation from the people) thankfully to accept of the permission,----and
‘ to answer, when challenged, for every breach of the rules, which I ever looked upon as *orders*, and not
‘ as *terms*, or considerations, upon which we were permitted to preach: Neither can I look upon them,
‘ or any thing in the first contrivance, as such; *for terms*
‘ upon which, &c. import a compact between the giver
‘ and

History
of indul-
gence, p.
55.

1676.

and receiver ; but in this matter I knew of no such thing. — Your lordships only enjoined them, with — certification, *as those concerned will be answerable :* So that----there is nothing in all these acts so much as intimating that your lordships intended any consent or obligation, by way of *condition*, from the receivers of your offer ; but----contented yourselves with the intimation of your pleasure with *certification*. ----Your lordship's offer being free, the acceptance arbitrary, the rules not enjoined as conditions, but commands *sub pœna*, and the resolution of ministers, as to them, being either to give a satisfying reason, or suffer with a good conscience for neglecting them----I and others have been in readiness, hitherto, to answer every one convincingly, who either out of malice were apt to reproach, or out of scruple to stumble at the least use making of the allowance, as if we thereby had involved ourselves in complying with an approbation of *prelacy*, *erastianism*, the *supremacy* in its full extent, &c. which things to approve were contrary to the known principles of *presbyterians*. But now, it being your lordships pleasure to impose these rules upon us as *terms upon which* we are permitted and *indulged*, &c. I confess,----though ----I do not deny to the king's majesty his *just* power about matters ecclesiastical, allowed him by the word of God, and practised by the godly reforming kings of *Judah*, yet I dare not, because of the awe of God upon me, do any thing, as my own proper fact and deed, that will involve me in such approbation and compliances contrary to my conscience ; such as the acceptance of the *rules*, under the notion of *terms* upon which, &c. or the observance of them imposed as orders, would do.' Upon this he prayed for the free and full exercise of his ministry, without any straitning impositions.

He also drew up another paper, containing short and solid reasons why *presbyterian* ministers could not in their practice fall in with the rules commanded by the council ; but, as I have already given an abstract of the grievances of several *presbyterian* ministers as to the in-

* P. 307.

dulgence, and particularly of Mr. John Burnet *, I must here refer the reader to Mr. *Wodrow*, p. 430. and 431. Some other things relating to the *indulged* will fall in afterwards,

Mean

Mean while the committee at *Glasgow* sat down on 1676. the sixth of *April*. Sir *Geo. Maxwell* of *Nether-pollock* * and his son *John*, Sir *Arch. Steuart* of *Castlemilk*, *Persons summoned before the committee at Glasgow.* *Ja. Hamilton* of *Aikenhead*, *Gab. Hamilton* of *Westburn*, Mr. *Hugh Corbet* of *Hargray*, Mr. *Ninian Hill* of *Lambhill*, *Pat. Hamilton* of *Neilsland*, gentlemen; messrs. *And. Mortoun*, *Hugh Smith*, *Mat. Crawford* and *James Wodrow* (after the revolution pro- * p. 264. fessor of divinity at *Glasgow*) ministers; *John Johnston* and *Mat. Cumming* merchant in *Glasgow*, and others, were summoned before them, to declare upon oath what *conventicles* they had been at since 1674. what children they had baptized, and whether they had received or harboured *intercommuned* persons. The two first, through the interest of some of the members, got off without swearing. As none of the ministers and preachers appeared, they were declared rebels, and the soldiers had orders to apprehend them wherever they could. The rest refusing to swear were reputed guilty, and, after being fined for as many *conventicles* as the committee thought fit, were imprisoned at *Glasgow*, and from thence sent to *Edinburgh*, where they continued in jail for some months.

During which time several occurrences happened. *Bishop of Dumblain, &c. restored.* The council met on the 26th of *April*, when they had a letter from his majesty, dated the 2d of *January*, signifying his royal pleasure to take off the restraint from the bishop of *Dumblain*, and from messrs. *Turner*, *Robertson*, *Cant* and *Hamilton* *, ordering the council to act accordingly; with which they complied. * p. 325.

At the same meeting, the better to suppress *conventicles*, the council extended their proclamation of the 8th of *April* 1669. * to the whole kingdom, whereby every heritor, on whose estate any *conventicle* should be held, was to be fined in 50 *L. sterling*. However, it was easy for the managers to overlook themselves in this case, and they would doubtless take care of that. *Farther proceedings of the council.* * p. 250.

Next day the council ordered lists of the *intercommuned* persons, and of such as were denounced and declared fugitives, to be transmitted to all sheriffs and magistrates of burghs, in order to their being apprehended. And, being informed of some *conventicles* in the shire of *Ayr*, they appointed the earl of *Dumfries*, and others, to inquire thereinto, and to punish the guilty.

The

1676. The *indulged* ministers in the diocesan synod of *Glasgow*, having got a charge of horning to pay the ordinary dues to their clerk and burfar, they all made payment, except messrs. *Anthony Schaw, Alex. Wedderburn, Ralph Roger, George Ramsay, John Spalding, John Bell, Robert Boyd, John Wallace, Robert Bell, William Tullidaff, William Maitland, Andrew Hutcheson, Thomas Wylie* and *Gabriel Cuningham*. Wherefore *Fairfoul* the clerk got a horning against them, and on the first of *June* gave them warning that he was to distress them. They represented their case in a petition to the council; but, though no answer is recorded, yet it seems the matter was dropt.

As the *indulgence* was very dissatisfying to many conscientious people, so, about this time, some young preachers began at their desire to preach, on the Lord's day, in the borders of some of the parishes of the *indulged*, which these last apprehended was unnecessary, since they constantly preached themselves, and that it would tend to divide and distract the people; but the truth is, the *indulgence* itself, and the accepting of it, was the occasion of the divisions that afterwards broke out.

On the fifth of *June* the council received the reports from their commissioners for trying *conventicles* in *Aberdeen-shire, Glasgow, &c.* and found that the lady *Polmais* in *Stirling-shire* had been before them, and declared upon her honour that she was free from what they charged her with; but, refusing to swear to their questions, had committed her case to the council. The laird of *Balgony* and his lady, with lady *Kennet*, were ordered to be denounced for not appearing before these commissioners. Mr. *Hugh Campbel* at *Muirkirk* was ordered to be summoned before the council for preaching without a presentation; and the magistrates of *Glasgow* were appointed to produce Mr. *Alexander Gordon*, or his sureties, for holding a conventicle there.

The same day the council referred the processes against *Netherpollock, Torrence* and *Dalduy*, for keeping of *conventicles*, to the commission for publick affairs.

About the middle of this month the following accident produced some remarkable alterations. While Mr. *James Kirkton* (before the restoration minister at *Martin*, and minister in *Edinburgh* after the *revolution*) was walking in the street of *Edinburgh*, he was civilly accosted by one captain *Carstairs*, together with *James Scot* of

Mr.
Kirkton
trepanned.

of *Tusbilaw*, and a footman. As Mr. *Kirkton* was going 1676.
 aside with *Carstairs*, he asked *Scot* who he was; to
 which *Scot* replied with silence and staring; whereby
Kirkton found he was trepanned, and a prisoner. *Car-*
stairs brought him to the house of one *Alexander* a mes-
 senger, and, sending off *Scot* and his footman, carried
 him into a dark room. Then *Kirkton* asked what he
 meant. *Carstairs* replied, Sir, you owe me money. Mr.
Kirkton asked whom he took him for. *Carstairs* said,
John Wardlaw. *Kirkton* undeceived him, and ingenuously
 told him who he was; to that the other said, he had
 nothing to say to him.

After they had been together about half an hour, Mr. *Is rescued*
Robert Bailie of *Jerviswood*, a relation of *Kirkton's*, to- by *Jervis-*
 gether with *Andrew Stevenson* and *Patrick Johnston* mer- wood,
 chants in *Edinburgh*, being informed of Mr. *Kirkton's* &c.
 circumstances, came to the door, and called to *Carstairs*
 to open, asking what he had to do with a man in a dark
 dungeon. *Carstairs* refused to open the door, and drew
 out a pocket-pistol. Whereupon *Kirkton* grasped his
 adversary, and, in the struggle, both fell on the ground,
 and *Kirkton* called out, *Murder!* Then *Jerviswood* and
 the two that were with him burst open the door, and
 parted them, without offering any violence to *Carstairs*,
 and rescued their friend.

Upon the misrepresentation of this affair to lord *Hal-* *Jervis-*
ton by *Carstairs* and *Scot*, a council was immediately cal- wood fin-
 led; to whom *Halton* told, that some of their publick of- ed.
 ficers had catched a *fanatick* minister, but that he had
 been tumultuously rescued. *Jerviswood* was brought
 before them, and gave them a faithful account of the
 affair, so that the council would have dropt it, had not
Sharp said, If *Carstairs* was not supported, and *Jervis-*
wood made an example of, there would be no prosecut-
 ing of the *fanaticks*: And therefore the next council-
 day, *June 22*. *Jerviswood* was fined in 500 *L. sterling*,
 and kept four months in prison before he was released.
 He paid 2000 merks of his fine to *Carstairs*, and with
 no small difficulty was forgiven the rest. The council
 referred *Andrew Stevenson* and *Patrick Johnston* to the
 committee for publick affairs, by whom they were fin-
 ed, the former in 1000 *l. Scots*, and the latter in 1000
 merks, and ordered to remain in prison till payment.

This was reckoned great injustice; for though it was *Remarks,*
 pretended that *Carstairs* was a commissioned officer,
 and

1676. and had produced his commission for apprehending ejected ministers, &c. at the council-board; yet he produced no warrant to *Jerviswood* and the rest when they rescued Mr. *Kirkton*. Bishop *Burnet* tells us, 'That *Bailey* asked him what warrant he had to use him as he did; and that *Carstairs* said he had a warrant to carry him to prison, but refused to shew it.—And after he had made *Kirkton* go out, he said he was resolved to pursue *Carstairs* for this riot; but, says *Burnet*, before the next council-day, a warrant for committing *Kirkton*, and six or seven more, was signed by nine privy-councillors, but antedated. Lord *Athol* told the doctor, that he was one who signed it.' So that, as Mr. *Wodrow* justly observes, the managers went upon a base forgery.

Changes
in the
council.

Mean while Mr. *Kirkton* sent a true narrative to the dutchess of *Lauderdale*. When the duke saw it he seemed surprised, and owned he had never met with two such different accounts, as that sent by *Halton* and this by Mr. *Kirkton*. Soon after Mr. *Kirkton*'s letter and information were sent to the council. *Halton* was enraged at this, and misrepresented all who had spoke in favour of *Jerviswood*, as if they had agreed to subvert lawful authority, and were combined against the king, and for the fanatics. Accordingly a new nomination of the council came down, and all who would not submit to *Halton* and the *primate* were left out; as duke *Hamilton*, who had spoke much in defence of *Jerviswood*, the lord privy-seal, the earl of *Kincardin*, the earl of *Dundonald*, and others. *Kincardin* and a few more went to court, and laid the affair before the king, but without any effect.

Committee for
publick
affairs.

For, on the 20th of *July*, a new commission of council was sent down, wherein the archbishop of *St. Andrews* was appointed to preside in absence of the chancellor. And the same day the two archbishops, the lord privy-seal, the earls of *Argyll*, *Mar*, *Moray*, *Linlithgow*, &c. or any three of them, were appointed their committee for publick affairs, and received commission and authority to meet when and where they pleased, and to take trial of conventicles, invasions of pulpits, &c. with power to summon, apprehend, bring under bond, and give what orders they thought proper to the forces, sheriffs, and other magistrates, and to consider the condition of prisoners, and to do all things necessary for his majesty's service, and make report to the council.

And

And now *prelacy* was at the height, for the two arch-^{1676.} bishops, with any third creature, had in a manner the whole management put into their hands. What a low ^{Remarks.} pass must religion and liberty have been in, when the primate and other two, in his chamber, might give what orders they had a mind?

The same day the council had before them several ^{Sundry} who had been imprisoned by the committee at *Glas-* ^{fin-} *gow*, and fined them as follows, viz. *James Hamilton* of *Aikenhead* 1000 l. *Scots*; *Mr. Hugh Corbet* of *Hargray*, *Mr. Ninian Hill* of *Lambhill*, and *Gabriel Hamilton* of *Westburn*, 1000 merks each; *Patrick Hamilton* of *Neils-* *land* 300 l. *Matthew Cumming* 200 l. What came of the others, formerly mentioned, is not known: But as *Alexander Wardrop* of *Demarnock* gave his oath, and confessed his being at one conventicle, he was fined only in 50 merks; and they were all ordered to remain in prison till they paid their fines, which they quickly did.

The committee of council ordered all sheriffs, &c. ^{Powers} to summon before them all who should be informed a- ^{to the in-} *gainst* by the *conforming* clergy, and to fine and impri- ^{son} ^{rior off-} *son* them, and give an account of their diligence to the ^{cers.} council. These under-officers summoned multitudes; but people, finding they must give their oath *super in-* *quendis*, did not appear, and were therefore declared fugitives, and afterwards *intercommuned*. This obliged many to wander from place to place. However, God remarkably appeared for them, raised up friends to supply their necessities, and support them in their distresses. Which dispersing of ministers and people tended greatly to the spreading of the gospel. They who formerly preached to a few in private houses, now preached to multitudes in the fields, with great success, tho' at the utmost hazard. And as the vicious lives of most of the *prelati-* *cal* clergy hardened many in their wickedness, so the faithfulness, integrity and holy zeal of these *confes-* *sors* were convincing proofs that there was a reality in religion, especially considering the remarkable judgments that now and then fell upon their merciless persecutors.

Such was the persecuting spirit that raged at this time, that it reached to places out of his majesty's do- ^{The king} ^{writes to} *minions*; for, by the influence of *Sharp*, the king was ^{the} *prevailed* with to write to the *States-general* of the *uni-* ^{States.} *ted provinces*, to remove *James Wallace*, messrs. *Robert MacWard* and *John Brown*, out of their provinces.

1676. It is likely this *James Wallace* was the colonel of that name who was engaged at *Pentland*. But the *States*, being convinced of the unreasonableness of this demand, especially as messrs. *MacWard* and *Brown* had complied with the sentence passed upon them in the years 1661 and 1662. would not comply with it; and gave notice to lord *Benningen*, their ambassador in *England*, to communicate their resolution in the most prudent way he could. The curious reader may see a translation of this worthy resolution of the *States*, dated the 31st of *July*, in *Wodrow*, vol. I. p. 434, 435.

Proceed- Though our managers could not obtain their ends a-
ings of the broad, yet they increased the persecution at home; for,
council, on the third of *August*, the council intercommuned Mr.
Aug. 3. *James Kirkton*, *Alex. Lennox*, *John Rae*, *David Hume*,
Edward Jamison, *Robert Lockhart*, *John Welwood*, *John Weir*,
Andrew Donaldson, *Thomas MacGill*, *James Wedderburn*,
Thomas Douglas, *Fran. Irvine*, *Alexander Bertram*,
and *Alexander Wilson*; and renewed their commission for
suppressing conventicles in the northern shires, with a
particular eye to *Banff*. They likewise past sentence
in absence against above 40 in *Fife*, and about 30 or 40
more in *Ghurnside* and the country adjacent.

The same day Mr. *Alexander Forester* was, by the council, ordered to the *Bass*, and Mr. *William Erskine* and the laird of *Bedlane*, both in *Stirling* castle, to *Dumbarton*. At the same meeting, Mr. *Robert Steedman* at *Garridden*, Mr. *George Haliburton* at *Dalgety*, and Mr. *James Duncan* in the family of *Dalhousie*, were denounced for keeping conventicles, as were *Alexander Gordon* of *Knockbrack*, *Henry MacCulloch* of *Barnholm*,—*Hay* of *Arrowland*, the old lady *Monreith*, *Robert MacClellan* of *Barmagachan*, *Patrick Vance* of *Drumblair*, all in *Galloway*; *Thomas Blackwell* and others, in *Glasgow*, were denounced for alledged harbouring of intercommuned persons; and Mr. *Douglas* of *Cavers* was summoned to appear for keeping Mr. *James Osburn*, as his chaplain, without the bishop's licence, and not appearing they were both denounced and outlawed.

Whether this was the Mr. *Osburn* who was, after the revolution, professor of divinity in the *Marshall-college* of *Aberdeen*, I know not; but I was assured by his son, the late principal of that university, that he was a very great sufferer in this period; but, such was his modesty,

deftly, he declined speaking on that subject; so that the particulars are not known. 1676.

The same day *Kerfsland* was sent prisoner, along with *Jerviswood*, to *Stirling* castle, where he continued some time. From thence he was sent back to *Dumbar-ton*, and lay there till *October* 1677. The reader may now see how much business was transacted in one day; but, as the persons were mostly absent, and the committee for publick affairs had prepared every thing for voting, processes could not be tedious.

On the sixth of *September*, *Robert Andrew* in *Culross* Mr. was fined in 50 L. sterling for keeping conventicles. And, on the 11th of *October*, the council being informed that Mr. *John MacGiligen*, was apprehended in *Moray*, ordered him to be brought to the prison of *Edinburgh*. The sufferings of this valuable person, since the establishment of *prelacy*, were many. And the manner of his being apprehended was remarkable. Being called to baptize a child of his dear brother Mr. *Hugh Anderson*, he stayed at his house all night. And that night, at three different times, he dreamed that there were three men come to the house to apprehend him. Though he was no observer of dreams, yet the repetition of the same thing made him thoughtful. He committed his case to God, and had scarce got up and was dressed, when three of *Seaforth's* servants came and seized him, and carried him to *Fortrose*, where he was some time in prison, and, in a speech to the provost, bore an excellent testimony against *prelacy*.

From thence he was sent to *Nairn*; and about the beginning of *February* he and Mr. *Hog* were brought up to *Edinburgh*, where Mr. *Hog* was imprisoned, but Mr. *MacGiligen* was sent to the *Bass*, where, for some time, he was not allowed a servant to make his bed, being forced to do all these servile offices for himself. But he has left it on record, that *the upper springs flowed liberally and sweetly, when the nether springs were imbibited to him*. And though, through the interest of lord *MacLeod*, he had afterwards some more liberty, yet here he contracted a gravel, which put an end to all his sorrows.

Mr. *William Bell* and *Robert Dick* were, upon the 12th of *October*, both sent to the *Bass* for a field-conventicle near *Pentland-hills*. And, on the 6th of *November*, the council, being informed that Mr. *Patrick Hamilton*, brother to the laird of *Halraig*, had preached in a private house

1676. house at *Edinburgh*, fined *Mrs. Mary Hepburn*, lady *Saltcotes*, in 200 *l. Scots*, and her daughter *Mrs. Mary Lindingtoun* in 200 *merks*, for being present; and sent *Mary Haldane* and *Bessie Muir* to prison, till they should find bail for 1000 *merks* each to remove from the town of *Edinburgh* and six miles round it. At the same *federunt* they released *Mr. Andrew Kennedy* of *Glowburn*, upon a bond of 10,000 *merks* to appear when called, though nothing criminal could be proved against him.

Dunlop
of House-
hill.

And such was the zeal of the managers, that, on the 30th of *November*, the council fined *James Dunlop* of *Housbill* in *Renfrew-shire*, in the sum of 1000 *merks*, for neglecting his duty in suppressing *conventicles*, and declared him incapable of acting any more as *bailie-depute* of the regality of *Glasgow*. Though nothing could be laid to his charge, except that he could not keep pace with the *prelates* in persecuting those who heard the gospel. However, he was afterwards restored to his office, but, being unacceptable to the archbishop and others, he did not long continue in it.

Mr.
Law de-
nounced.

On the 7th of *December* *Mr. John Law*, late minister at *Campsie*, being called and not appearing, was ordered to be *denounced*. He was charged for keeping *conventicles*, invading pulpits, and being concerned in ordaining persons for the ministry. Two days after this the town of *Edinburgh* was fined in 50 *l. sterling* for a *conventicle* lately held there. I shall now end the transactions of this year with an account of some who suffered, but the particular dates I know not.

Mr. Do-
naldson's
sufferings.

For several years the reverend *Mr. Andrew Donaldson*, late minister at *Dalgaty*, continued to preach in a gentleman's house in that country, till, through the instigation of the *prelates*, he was *intercommuned* on the 3d of *August* this year. Although he was now old and infirm, and did not preach except sometimes on the sabbath-evening to his own family, and a few others who came to hear him, yet, for this cause, a party of soldiers came one night and carried him out of his bed to the prison of *Linlithgow*, where he continued more than a year. The commander of the party, by whom he was thus apprehended, died under great horror of conscience for the part he acted in this matter. In the months of *April* or *May* 1679. he gave the earl of *Argyll* warning of his after sufferings and death, as that noble peer told several in the castle of *Edinburgh* a few days before his

his martyrdom. Mr. Donaldson continued under trou- 1676.
ble till the year 1687.

Gilbert MacIlwraith of *Dinmurchie*, a gentleman of a Mr.
moderate estate in the shire of *Ayr*, was this year inter- MacIl-
communed merely for not appearing. In the year 1680. wraith.
he was forfeited with many others in absence, and the
gift of his estate and moveables was made over to the
earl of *Glencairn*. His wife and children were very
rudely treated, being expelled their house with nothing
but their clothes on their back, and a child in the cradle.
All this and much more was proved before the com-
mittee of parliament after the REVOLUTION.

In the year 1677. things grew still worse. Messieurs 1677.
John Welsh, *Gabriel Semple*, *Samuel Arnot* and *John Scot*
of *Hawick*, having last year been obliged to retire to
England, they were very useful in *Cumberland* and *Nor-*
thumberland, reclaiming sinners, and instructing many
who scarcely had the gospel ever preached among them
before. Some went also to the north of *Ireland*, where
they were of great service.

In the beginning of this year a great number of *A meet-*
presbyterian ministers, *indulged* and *not indulged*, assem- ing of the
bled at *Edinburgh*, and Mr. *Ralph Rogers* was chosen their ministers.
moderator. Some, such as the reverend Mr. *MacWard*, Mac-
looked upon this as an *erasian* meeting, since several Ward's
of the *indulged* were members of it, and since the mo- contend-
tion made by the reverend Mr. *Blackadder* was treated ings,
in a manner with contempt; for, when he proposed P. 20, 21.
that they should first set some days apart for fasting and
humiliation on account of their defections, some cried
out, *Divisive, divisive*, and others, *Come, let us unite*. Mr.
Welwood, Mr. *Cameron*, and a third, were called before P. Wal-
this meeting for preaching separation from the actually ker's pas-
indulged; but they declined them, as not a lawfully con- sages of
stitute and qualified judicatory. Be these things as they Wel-
will, the ministers thus assembled did not take upon wood.
them the authority of a general assembly; but gave it
as their opinion that the sentences inflicted on the pro-
testors 1661*. should be reversed, that the *indulged* and * p. 80.
not indulged should preach with one another without
distinction, and that the *indulged* should not confine them-
selves only to their own pulpits. They had likewise a
good deal of debate concerning *indefinite ordination*,
whether, especially in the *persecuted state of the church*,
ministers might not be ordained, without any prospect
of

1677. of a settlement among a particular congregation ; but they came to no resolution.

Conventicles still abounded notwithstanding the sanguinary laws in force. Mr. *Welsh*, &c. returned to the south and west in the spring. The sacrament of the Lord's supper was administered in the fields near the water of *Girvan* in *Ayr-shire*, where thousands were present, and great success attended the preaching of the gospel on that occasion.

As a price was set upon Mr. *Welsh*'s head, he still travelled about with some of his friends armed in their own defence. The conforming clergy magnified these meetings, as if the whole of the *presbyterians* were in arms ; and the *bishops* gave out that an insurrection was intended, notwithstanding such a thing was far from any of their thoughts.

D. Hamilton. On the 6th of *January* a letter came from the king to the council, making void all the commissions about the militia formerly granted to duke *Hamilton*, which no doubt they carefully intimated to him.

Mr. Fraser apprehended about ten at night, when engaged in family-worship, and carried directly to prison. He had his share of sufferings during the preceeding years, was one of those who had been *intercommuned* about two years before, though none whom he valued ever shunned his company for that.

Examined before a committee. He was next day brought before a committee of council, but, as he himself relates it, was charged with no crime, but only examined, and verbally accused as a seditious person, who did rend the church of Christ. That the reader may have a specimen of their insnaring proceedings, I shall mention a few of their questions, with his answers. *Qu.* ' Did you ever preach in the fields ? *Ans.* Your lordship knows, that *that*, according to your law, is criminal ; and I am not obliged to be my own accuser. It is enough that my throat be cut, though I do it not with my own hands. If you have a mind to stage me on that, bring my accusers, and then proceed as your lordship thinks fit. *Bishop.* Tho' these shifts be taken from others, yet they must not, Sir, be taken so from a man of parts. *Dundonald.* Sir, you would gain the good-will of the committee by being ingenuous and free. I assure you none of us have any ill-will at you, or intend to take any advantage of you, or of any

'any of your party, from any thing you say. *Ans.* I 1677.
'thank your lordship. *Halton.* Did you ever preach
'at *Linlithgow*? *Ans.* It may be I have. *Bishop.* Yes,
'Sir, you have, and in the fields there too, and that to
'great conventicles. *Ans.* I desire that may be proved.'
He was likewise interrogate as to his principles concerning government, and frankly owned his aversion to *prelacy*; but, says he, 'as to my *loyalty*, I would
'not care much though you all saw what was in my
'heart anent it.' In short, nothing was proved against him. Nevertheless he was, after examination, remanded to prison. His pockets were searched for letters, &c. and all company discharged. But he remarks, that 'the Lord was a light round about him, and HIM they could not shut out.' Next morning he was wakened by one of the jailors, and ordered to make ready to go immediately to the *Bass*, for so the council had appointed. Accordingly he and Mr. *James Mitchel* who had endured the torture were conducted thither by a party of 12 horse and 30 foot. He remained there two years and a half. But after the affair of *Bothwell* the king granted an *indemnity*, and ordered that all prisoners for *nonconformity*, who had not been in that rising, might be set at liberty. Accordingly, in July 1679. he and other ministers were brought from the *Bass* to the prison of *Edinburgh*, and in 24 hours time, upon finding bail for 8000 *L. sterling* to appear when called, were set at liberty. Sir *Hugh Campbell* of *Calder* was bail for Mr. *Frazer* in the sum of 5000 merks *Scots*; nevertheless he continued in a wandering condition till November 1681. when we shall meet with him again.

Mr. *Andrew Forester*, having been lately apprehended Mr. Forester.
in *Fife*, was upon the 8th brought before the council, and ordered to be kept close prisoner in *Edinburgh*. There had been a meeting of about 50 or 60 of the ejected ministers on the 20th of May 1676. to whom he was clerk. When he was taken their minutes were found about him, and, upon his refusing to relate the particular circumstances of it, he was imprisoned as above.

The same day *Scot* of *Pitlochie* was sent to the *Bass*, Mr. and messrs. *Thomas Blackwell*, *William Stirling* and *Robert Fork* were ordered to be brought in prisoners to *Edinburgh*. An information was given to the government, well, &c.


1677. *w* ment, after the *revolution*, that Mr. *Blackwell* was committed to prison 1677. for conventicles, when under a most violent fit of the gravel. However, one night, the door being open, and the jailor drunk, he and *William Stirling* a fellow-prisoner got out, for which the magistrates of *Glasgow* were fined in 10,000 merks, but the most of it was remitted after the indemnity 1679. Mr. *Blackwell* was pursued by those who were bail for the jailor, and again committed to prison, where he continued for a long time much afflicted with the gravel, and was obliged to transact for 7000 merks to his pursuers, the greatest part of which he paid, though *William Stirling* was not at all pursued.

Lord *Cardrofs*. This year the excellent lord *Cardrofs* suffered farther hardships. However, on the 8th of *February*, he was permitted to go out of prison till the 18th on account of his lady's indisposition.

A popish lord employed. On the 13th the council gave a commission to lord *Maxwel*, a *papist*, to apprehend *presbyterian* ministers and others, and to levy 5000 merks of fines lately imposed on the parish of *Dunscore* for a riot. Such was their zeal against *popery*! On the 22d *Robert Blae* and *William Grey* of *Culrofs* were severely fined for conventicles. And on the 1st of *March* the council wrote to the earl of *Seaforth*, severely reprimanding him for having granted a warrant to the sheriff of *Nairn* to give some liberty to Mr. *MacGiligen*; for they had been informed that that sheriff had, for some time before he was ordered to apprehend Mr. *MacGiligen*, kept him as a chaplain, and suffered him to preach and keep conventicles. The same day they allowed lord *Cardrofs* to go about his affairs, upon a bond of 100 L. sterling for every offence committed by him or his lady, which we shall find was afterwards rigorously exacted.

Farther proceedings of the council. Great care was taken at this time to have the youth educated to their mind. Accordingly, on the 6th of *March*, the council made an act discharging all students from being admitted to academical degrees, unless they took the oath of *allegiance* and *declaration*; and signifying that the masters should be deprived if they conferred any degrees upon other terms. The same day letters were ordered to be sent to the sheriffs, bailies of regalities, &c. to encourage them in prosecuting those who went to conventicles, by informing them that they were to have the fines of all below heritors for their own

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own use. They likewise appointed the earls of Lin- 1677.
lithgow and Wintoun, the lords Elphinston and Belhaven, ,
the treasurer-depute, the advocate, and lord Collington,
or any three of them, to be the committee for publick
affairs.

The bishops being, it seems, displeased that many Mr. Ha-
went from Edinburgh to Dalmenie to hear Mr. Alexander ^{milton}
Hamilton the indulged minister of that place, the council, ^{translated.}
on the 7th of March, removed him to Dalserf. The
compliances of some of the indulged gave offence to ma-
ny, being judged inconsistent with presbyterian prin-
ciples.

On the 4th of April the council, in a letter to Lau- Council's
derdale, complained of the increase of conventicles, and ^{proceed-}
that, when the preachers or hearers were prosecuted, ^{ings a-}
they repaired to England: And therefore earnestly beg- ^{gainst}
ging that his majesty would provide a remedy for this ^{conven-}
evil. ^{ticles.}

On the 2d of May letters were sent, by order of the
council, to many of the royal burghs, to be more care-
ful in suppressing of conventicles; and the same day Ro-
bert Bennet of Chesters was brought before them for be-
ing at a field-meeting, where they alledged the king's
forces were resisted; and the soldiers who apprehend-
ed him and Mr. Blackwell were allowed 10 L. sterling
out of the fines for each of them. Orders were like-
ways sent to colonel Borthwick to place guards at the
gates of the city of Glasgow on the sabbath-day, to pre-
vent people from going thence to these meetings: Nay,
they discharged all the ejected ministers, who did not
enter into their confinement 1672. from entering into
any churches, declaring that, for the future, they would
indulge no more. This doubtless was very acceptable to
the prelates.

Next day, May 3d, the earl of Dumfries represented ^{Sufferings}
to the council, that Mr. William MacMillan of Caldwell, in ^{of Mr.}
the parish of Balmaclellan in Galloway, had, for some ^{Mac-}
time, been imprisoned at Dumfries for non-conformity, ^{Millan of}
and prayed that he might be let out and confined to the ^{Caldow.}
bounds of his own parish, which was complied with.
This excellent person, after the establishment of prelacy,
was greatly persecuted by Mr. Moir the episcopal mini-
ster and Sir James Turner, so that he was obliged to
leave his mother's family, disperse his own, and live
as a fugitive the best way he could. Though he was

1677. not at *Pentland*, yet Sir *William Bannantyne* quartered his men on his family, detained him and several others prisoners in the house of *Earlestoun*. His house was spoiled, his furniture seized, though he had given a bond containing a penalty of 1000 *l.* to answer the council, or justiciary, for any thing that could be laid to his charge. This gentleman went frequently to *Ireland*, till at last he was licensed to preach 1673. by the *presbyterian* ministers of the county of *Down*. When engaged in this work he was informed against by the *prelates* and the earl of *Nithsdale*, who sent two of his militia troop, with some other violent *papists*, who apprehended and carried him prisoner, first to *Kirkcudbright*, and then to *Dumfries*, where, without any accusation, he was continued prisoner 35 months without intermission, to the great prejudice of his health.

Mr. J. Drummond. On the same 3d of *May* Mr. *James Drummond* was ordered to be brought to the tolbooth of *Edinburgh*, because, when formerly set at liberty, he engaged not to keep conventicles, and yet was taken preaching; and the committee for publick affairs, in their report to the council, gave it as their opinion that he should be sent to the *Bass*. My author observes, that, if he made such a promise, he was almost the only *presbyterian* minister that did so at this time; that they all gave bond to appear when called, but none of them would engage not to preach.

Committee's report, &c. The 28th of *June* the committee for publick affairs reported to the council their proceedings against the *presbyterian* ministers in their hands. Mr. *Wodrow* has inserted their report at large, Vol. I. p. 447, &c. to which I must refer the reader. The same day the council fined Mr. *Bennet* of *Chesters* in 400 merks for conventicles, and for hearing and conversing with Mr. *Welsh*, and ordered him to remain in the *Bass* till payment: They likewise fined *Adam Stobie* of *Luscar* in 3000 merks, and after he paid the fine he was banished the kingdom: And the same day *John Anderson* of *Dowhill* younger (several times provost of *Glasgow* after the revolution) was brought before the committee for publick affairs, and accused for being at many conventicles, and for a series of non-conformity, and refusing to swear was reputed guilty, and, because he would not hear his parish minister, was fined in 500 *L. sterling*, and ordered to ly in prison at *Edinburgh* till he paid it. He remained there till the

the beginning of *October*, when he was released upon his paying 2000 merks. 1677.

On the 19th of *July* the council gave a commission to Sir *William Murray* of *Stanhope*, and to some officers of the militia, to disperse conventicles in the shire of *Peebles*, and the same day Mr. *Robert Trail*, son to Mr. *Robert Trail* minister at *Edinburgh*, was brought before the council, and acknowledged that he had kept house-conventicles. But being asked if he had preached at field-conventicles, he referred that to proof, because the law made it capital. He owned he had conversed with Mr. *Welsh* when on the *English* border, and that he was ordained to the ministry by *presbyterian* ministers at *London* 1670. But refusing to clear himself by oath, he was therefore sent to the *Bass*. Major *Johnston* got a 1000 *l. Scots* for apprehending him. This Mr. *Trail* was afterwards an useful minister to a congregation of dissenters in *London*. His sermons on the *Throne of grace*, the *Lord's prayer*, and *John xvii. 24.* are much esteemed by many.

On the 24th of *July* Sir *Alexander Bruce* of *Broomhall*, for not obliging his tenants to subscribe the bond, was fined in 1200 *l. Scots*. And the same day they made an act, ordering heritors to be summoned for conventicles as well as tenants, in order to be made liable for their fines, if it should appear they had not obliged them to subscribe the bond as required by the proclamation the 18th *June* 1674. which put multitudes of gentlemen to a great deal of trouble. Accordingly *James Smith* of *Tullochshaugh*, and many heritors in the shires of *Lanerk* and *Kenfrew*, were charged to appear before the council on the 7th of *August*, to be examined as to their being at conventicles, their neglecting to take bond of their tenants, and to give their oath upon these articles, otherways to be accounted guilty. The summons to *Tullochshaugh* was dated the 28th of *July*, two days after the council granted the prisoners in the *Bass* liberty to walk every where above the walls, except Mr. *James Mitchel*, who was ordered to be kept closely confined.

But, before I proceed to relate what immediately followed upon these proceedings, it seems proper to observe, that, either in *June* or *July* this year, the duke and dutchess of *Lauderdale* came down to *Scotland*, and that one of the dutchess's daughters, by her first husband, was married to the lord *Lorn*, afterwards the first duke of *Argyll*.

1677. *Argyll.* The other was designed for the marquis of *Athole's* eldest son, but that did not take effect.

Ministers applied to him in vain, The *presbyterian* ministers in *Glasgow, Paisley, Irwine, and Hamilton*, judging it proper to address his grace, pitched upon Mr. *Matthew Crawford* to go to *Edinburgh* to consult with Mr. *John Carstairs*. A meeting of ministers there approving the motion, employed Mr. *Anthony Murray*, a relation of the *dutchess of Lauderdale*.

He got access to the duke, and humbly intreated his grace to interpose with the king for taking off the letters of *intercommuning* laid on so many ministers, and releasing their brethren in the *Bass* and other places, and that they might have liberty to meet for drawing up a supplication to the king's majesty. The duke told him, that he was ready to do all the service he could to him, but would grant no favour to *that party*, being (as he said) unworthy of any. From this the ministers concluded that evil was determined against them;

A 3d Indulgence for amusement. however, next council-day, when several lords represented that the pressing of the *bond* would ruin their tenants and lay their lands waste, the duke began to talk pretty openly of a *third indulgence*, and soon signified his inclinations to sundry *presbyterian* ministers by lord *Melvil*. But when the two archbishops complained of this to the duke, it is said he told them, that he intended no liberty to the *presbyterians* at all; only it was convenient to keep them in hopes till an army was raised to suppress them, which was now in agitation.

Proclamation. On the 2d of *August* *John Cuninghame* of *Bedlane* was released from his confinement, upon giving bond and security to re-enter when called. Then the council emitted a new proclamation, by which all heritors, wadsetters and liferenters, were required to engage themselves by bond, not only for themselves and families, but for all that lived under them, that they should not keep or be present at any *conventicle*, or baptize or marry with ejected ministers, under the highest penalties contained in the former acts. See *Wodrow's Appendix*, No. 79.

Lord Cardross fixed. The same day lord *Cardross* was summoned to appear, on the 7th of *August*, before the council, for two *irregular baptisms*, two of his children having been baptized by persons who were neither his own parish ministers, nor licensed by the council. His lordship gave them a plain representation of the case, acknowledging that,

that, during his long confinement, he had a child born in the town of *Edinburgh*; and that, not being permitted either to attend his lady in her labour, or discharge the other duties relating to the child, he was not in a capacity to conform to the act of parliament in that case; he only knew that the child was truly and christianly baptized, but never inquired by what minister it was done. Notwithstanding whereof *Cardross* was fined in half a year's valued rent. 1677.

The same 7th of *August* the lady *Kinkell* was fined in 5000 merks, and the lady *Pitlochie* in 1000, for being at *conventicles*. And, to render the ends of the last mentioned proclamation the more effectual, the council, on the same day, erected a kind of *high-commission*, *Commission* authorising several noblemen and gentlemen to put the laws against *conventicles* and other disorders in execution. The commissioners had certain bounds assigned them. The lord treasurer was appointed for the shire of *Edinburgh*, the earl of *Wintoun* and lord *Belhaven* for *Haddington*, ——— for *Linlithgow*, the marquis of *Arhole* for *Perth*, the earl of *Hume* for *Merse* and *Teviotdale*, &c. They were to inform themselves of all persons, within the bounds assigned them, who withdrew from publick ordinances, went to *house* or *field-conventicles*, of all disorderly baptisms and marriages, &c. and report their diligence once every three months to the council.

When the last proclamation and *bond* came west, it much alarmed the noblemen, gentlemen and heritors; for they reckoned it the hardest thing that could be, that they should oblige themselves for those that were not in their power, and be required to do what was impossible; and alledged, that many of the *counsellors* could not safely bind themselves for their own families, and therefore how could country gentlemen be bound for multitudes under severe penalties? *Noble-men, &c. alarmed.*

Upon this a considerable number of noblemen, gentlemen and heritors of the shire of *Ayr* met, and, having chosen the earl of *Lowdown* preses, agreed upon a letter to the council, excusing themselves for refusing a *bond* which they could not keep, and proposing another expedient for securing the peace of the country, even the granting a farther liberty to *presbyterians*. This was taken so ill by the managers, that the excellent nobleman who signed the letter was never more in favour; *Meet and agree on a proposal.*

1677. your; so that, after enduring sundry hardships, he left his native country, and died at *Leyden*.

The bond
refused in
Lanerk-
shire.

The proclamation met with no better treatment in *Clydsdale*. Duke *Hamilton* was no friend to it, and the heritors of *Lanerk* unanimously agreed to refuse the bond. This opposition a little softened the severe instructions and commissions at the council's meeting in *October*, when they made an act agreeable to the report then given in by the committee for publick affairs, 'That, 'if any person that is summoned be ready to swear, 'or pay his fine, he shall not be troubled with bonds 'or other engagements, since the constant punishment 'of transgressors will supply the necessity of bonds, and 'since the LAW itself is the strongest bond that can be ex- 'acted of any man,' &c. However, these continued but a very short while.

The state
of the in-
dulged,
P. 57.

On the 10th of *August*, according to the author of the *history of indulgence*, there was a proclamation, in which it is declared, that, since divers of the *indulged* ministers had neglected their instructions given them by the council, all heritors, &c. were discharged from paying any part of their stipend for the year 1677. and in time coming, without a special order and warrant from the council. However, at this time, many *indulged* ministers were summoned to appear before the council, but there were few or none who appeared. Mr. *James Currie* was before them on the 7th, and, being accused for being at a *conventicle*, he owned, that, as the *conventicle* was in the corner of his own parish, he went to expostulate with the preacher for withdrawing his people from him; and this being his case he was dismissed. But Mr. *James Greg* being called, and not appearing, his *indulgence* was declared to be *forfeited*, and he discharged from preaching any more in *Carstairs*. At the same time, the council being informed that the *indulged* ministers did not keep their instructions, a new copy was ordered to be sent to each, signifying, that, if they break them, they should be immediately turned out, and otherways censured. They having likeways information that Mr. ——— *Gilchrist* had been settled in the parish of *Carlsphairn*, after the death of Mr. *John Semple*, ordered him to be dispossessed, and brought in prisoner to *Edinburgh*. Now, since the *indulged* were put to these hardships, the reader, I suppose, will not be surprised that others, who had not

not freedom to accept of any *indulgence*, and yet exercised their ministry where they had opportunity, had the hardest measure of sufferings. 1677. ~~~~~

The prelatick party was very strong at this time in the council; for though some were for moderate measures, as *Argyll*, the president, *Stair*, Sir *Thomas Wallace* of *Craigie*, and a few more, yet the generality were for carrying things to the utmost extremity. Upon the 4th of September Sir *George MacKenzie* of *Rosehaugh* was admitted a privy-counsellor, and about this time Sir *John Nisbet*, who had been his majesty's advocate for several years, was turned out, and succeeded by Sir *George*, who was greatly instrumental in the after-sufferings of the *presbyterians*; so that the *prelates* themselves could never charge him with any thing like moderation.

Sir
George
Mac-
Kenzie
made ad-
vocate.

At the same federunt a letter from the king, dated the 24th of *August*, was read, signifying it was his royal pleasure, that, for the future, all the officers of state should accept their commissions *durante beneplacito*. By this means all the inferior officers were made to depend on him who had the king's ear. But, though this was *Lauderdale's* contrivance, it was afterwards turned against him.

Commissi-
ons during
pleasure.

On the 9th of *October* the committee for publick affairs give it as their opinion, that Mr. *Robert Trail*, Scot of *Pitlochie*, Mr. *James Drummond*, and Mr. *Frazer* of *Brae*, should be set at liberty from the *Bass*, upon giving bond to appear when called. But, notwithstanding this, Mr. *Frazer* was continued thro' the particular spite of the *primate*. I know not what the council did as to the rest. Only Mr. *Alexander Peden* was ordered to be let out of the *Bass*, upon obliging himself to depart from *Britain*, and not to return under a severe penalty. Several others had some liberty granted them by this federunt, as messrs. *Hog*, *MacGiligen*, and *Thomas Ross*; but it was the eve of a severe persecution.

Though conventicles greatly increased this year, yet both ministers and people behaved in a most peaceable manner: Nothing of disloyalty could be laid to their charge, notwithstanding the finings, confinings, imprisonments, denouncings and intercommunings they endured. A paper writ by a gentleman of very good intelligence at this time, says, That, by a sober computation,

The peo-
ple's
peaceable
carriages.

1677. putation, it appeared, that, before the end of this year 1677. near 17,000 were thus harrassed; but still they met peaceably. It is true several of them came *with arms*, in order to defend themselves from the barbarous outrages of the soldiers, which was a great handle to the *prelates*, who, upon hearing of the design of any farther favour to those who could not in conscience submit to abjured *prelacy*, left no stone unturned to defeat the design. In order to this they raised a mighty cry that *the CHURCH was in danger* from an intended insurrection, which had not the least foundation. The following incident was also aggravated.

Carstairs
commits
outrages.

Carstairs, who had been very diligent in harrassing the *presbyterians* in the east parts of *Fife*, had turned out lady *Colvil* from her house, so that she was obliged to conceal herself for some time in the fields and mountains, which greatly impaired her health. This fellow went round the country with about a dozen of men, having no other warrant but the ARCHBISHOP'S *commission*, under pretence of searching for *denounced* and *intercommuned* persons, and committed many outrages. About the beginning of *October*, six or seven gentlemen being in the house of *John Balfour* in *Kinloch*, *Carstairs* came with his company, while one of the gentlemen was accidentally at the door. *Philip Garret*, an *Irish* tinker, one of *Carstairs*'s gang, advanced, and, without asking a question, or receiving the least provocation, fired at the gentleman, but happily missed him. However, *Garret* followed into the house. By this time the gentlemen being alarmed, one of them fired at *Garret*, and wounded him in the shoulder, so that he fell. Mean while *Carstairs* and his men fired in at the windows at the gentlemen, and wounded one of them. Upon this the gentlemen, in their own *just and necessary* defence, made a sally, and put *Carstairs* and his men to flight. But no more blood was shed, only *Kinkell*'s horse was shot, and *Garret* received some slight wounds with a sword. *Carstairs* informed the council in *his own way*; so that this was looked upon as an high act of rebellion. The gentlemen, and several others, were summoned before the council, and not appearing were all denounced rebels. This affair was charged upon the whole body of the *presbyterians*, tho' it was some time before it was known in the *west-country*.

How-

However, as this happened just when the bishops wanted a handle, they carefully improved it. 1677.

Accordingly, on the 17th of *October*, the council wrote to the earls of *Glencairn* and *Dundonald*, and the lord *Ross*, in order to assemble the commissioners of the excise and militia, and justices of peace, mentioned in an inclosed letter, in the shires of *Ayr* and *Renfrew*, at *Irwine*, on the second of *November* next to come, in order to concert proper measures for suppressing conventicles, and that on account of the extraordinary insolencies committed against the orthodox clergy, by usurping their pulpits, threatening, or abusing their persons, setting up of conventicle-houses, and keeping of seditious and scandalous conventicles in the fields, the great seminaries of rebellion, &c.

As to insolencies, &c. except it was one or two instances, says my author, and that on no small provocation, not one of those riots that came before the council were in the shires of *Ayr* and *Renfrew*. And as to the invading of pulpits, it is owned, that, upon a vacancy, and at the invitation of the heritors and people, presbyterian ministers did sometimes preach in them. In short, the whole of this application to these gentlemen was but a sham, for they had concerted measures among themselves; only there must be some time to bring them to bear, as appears from a resolution of the council the day before the gentlemen were to meet. Remarks;

Mean while, about the end of *October*, the advocate was ordered by the council to prosecute Mr. *James Mitchell* for his intended assassination of the bishops of *St. Andrews* and *Orkney*. They likewise received a letter from *Lauderdale*, acquainting them with the designed marriage of the prince of *Orange* to the princess *Mary*, the duke of *York*'s eldest daughter; for which they wrote a letter of compliment to his majesty, expressing the greatness of that happiness they expected from this match; and they commanded publick rejoicings in the city of *Edinburgh* on that occasion. Prince of Orange's marriage.

As the marriages of the royal house of *Stuart* with papists, have been the great plagues of the three kingdoms, and have brought our religious and civil liberties frequently to the very brink of ruin, so their marriages with protestants have been as great blessings, not to us only, but to the whole protestant church. To these it is we are indebted, first, for the glorious revolution, and, Remarks,

1677. next, for the illustrious FAMILY which now happily fills the throne: And had the managers seen the consequences of the happy intended marriage intimated to them at this time, it is to be questioned whether they would have been so forward in their rejoicings.

Ker of
Kerf-
land.

About this same time Mr. Ker of Kerf-land was ordered to confine himself in the town of Irwine, and a mile round it, being within five miles of his own house at Kerf-land. He had some time allowed him to go with his family, then at Glasgow, to the place appointed. When he came to his family at Glasgow, he was visited by many of his friends and acquaintances. But the same night, when he was conducting the lady Caldwell and her daughter home, he and Robert Hamilton of Airdry were both apprehended by some of the king's life-guard at Glasgow, and kept in the guard house till next day. Major Cockburn, the commanding officer, was willing to release Kerf-land, only detained him till the archbishop's pleasure was known, who, as a counsellor, ordered him to be made close prisoner in the tolbooth, and immediately rode to Edinburgh. The lady Kerf-land followed to prevent misinformations. During this a fire broke out at Glasgow, and the prison being in danger, I am informed that several of the inhabitants went to the magistrates, desiring that the prisoners might be taken out, lest they should perish in the flames; and, upon their refusal, the people took the longest ladder they could find, and as many as were able laid hold on both sides of it, and with united force burst open the doors and released the prisoners; among whom Kerf-land got his liberty. Mr. Wodrow says, that after this he retired, and absconded all that winter, during the spring, and following summer, when he kept company with the persecuted ministers, heard the gospel preached by them in the fields, till he retired to Utrecht, where he died the 14th of November 1680. However, it would seem, that, after he was set free at Glasgow, he was some way or another retaken and sent to prison at Edinburgh; for, p. 446. he says, Upon the 29th of November, Robert Ker of Kerf-land, and Durham of Largo, prisoners in Edinburgh tolbooth, are ordered to be liberate without any conditions, which was not common at this time.

A fire at
Glas-
gow.

On the first of November the committee for publick affairs informed the council that they had ordered two men to be scourged for a riot on the minister of Torphichen,

phichen, and two more for a riot on the minister of *Bor-* 1677.
rowstouness, which met with the council's approbation. ~
The same day they turned out Mr. *John Welwood* from
the kirk of *Tarboltoan*, and ordered him to be apprehend-
ed. And, about a fortnight after, Mr. *James Forthie*,
chaplain to the trinity hospital at *Edinburgh*, was turned
out for being at a *conventicle*.

As an evidence that the council's ordering the heri- *Resolution*
tors of *Ayr* and *Renfrew* to meet at *Irwine*, to fall upon of the
proper methods for suppressing *conventicles*, was all sham, council.
and that they had concerted measures among themselves,
on the 1st of *November*, the day before these gentlemen
were to meet, they came to the following resolution, viz.

' Upon some informations of some growing disorders *Project of*
and insolencies in the western shires, it was thought fit a the High-
proclamation be drawn, in case of an insurrection, and land host.
the nearest *Highlanders* should be ordered to meet at
Stirling upon advertisement by proclamation; and let-
ters are to be writ to noblemen and gentlemen, to have
their vassals and tenants ready and at a call. It was
farther thought fit that arms and ammunition should be
sent to *Stirling*. The forces at *Glasgow* are ordered to
Falkirk, and new men are to be presently levied to com-
plete them, and the soldiers ordered for the *Highlands*
countermanded.' Though they might be informed of a
designed insurrection, yet there was no ground for it.
But now the *HIGHLANDERS*, men too universally ac-
customed to theft and rapine, *must be made REFORMERS!*
A contrivance becoming *Scots* bishops.

On the second of *November*, the heritors of *Ayr* and *Renfrew* met at *Irwine*, as they were ordered, and, after *Resoluti-*
a good deal of reasoning upon the council's letter, they ons of the
unanimously came to three resolutions. ' 1. That it was meeting at
not in their power to suppress *conventicles*. 2. That it is *Irwine*.
their humble opinion, from former experience, that a
toleration of *presbyterians* is the only proper expedient
to settle and preserve the peace, and cause the foresaid
meetings to cease. 3. That it is their humble motion,
that the extent thereof be no less than what his majesty
had graciously vouchsafed to his kingdoms of *England*
and *Ireland*.' These resolutions they communicated to
the three noblemen by whom they were assembled.
But their lordships, knowing how unacceptable it would
be to the council, declined receiving it, and the gentle-
men would make no alteration. And therefore the
three

1677. three lords, on the eighth of *November*, sent a letter to the council, signifying, that the gentlemen had declared that it was not in their power to quiet the disorders.

Matters
preparing
for the
High-
land host.

Though the leading men in the council appeared dissatisfied with this refusal, yet it is probable it was what they wanted, that they might have a handle to prosecute their cruel intentions against the west country. Accordingly they now resolved to execute their project, formerly agreed to, of raising such a number of the savage *highlanders* as might overrun and depopulate the western shires, though in a time of profound peace. It does not appear that they had as yet any orders for this from court, and therefore they were obliged to wait for some time till the king's letter came down to empower them to act. Mean while they were not idle in preparing for the execution of their design.

Accordingly, on the 15th of *November*, the council ordered the commissioners of the militia to meet at *Edinburgh*, on the 19th, under the severest penalties, and the guards to muster on *Larber-muir* on the 20th. On the 26th four companies of soldiers were ordered to be quartered about *Edinburgh*. Next day they established a post betwixt *Edinburgh* and *Portpatrick* for corresponding with *Ireland*; for the king being informed of the danger of an insurrection, for which there was not the least ground, not only offered them the assistance of the *English* forces, but likewise commanded the viscount of *Granard* to march the *Irish* forces to the coast, to be in readiness to come over to *Scotland* upon a call. However, the *highland host* answered the end of the managers without the assistance of foreigners. The same day they wrote to the absent counsellors to be present next council-day. Accordingly on the 6th of *December* they met, and wrote to the earls of *Huntly*, *Perth*, and *Airly*, to have their men in readiness to march.

The same day Mr. *James Mitchel*, formerly mentioned, was brought from the *Bast* to *Edinburgh*.

Dr. Lest-
lie.

On the 17th the council ordered Dr. *James Leslie*, principal of the *Marshall-college* at *Aberdeen*, to be apprehended and sent to *Edinburgh*. He had written to the bishop of *London* reflecting on the council and the duke of *Lauderdale*, and his letters some way or another came into their hands; and therefore he was deprived

prived of his place, ordered to beg his grace's pardon, 1677. and then was set at liberty.

On the 20th the council met, and received the king's letter for raising the HIGHLAND HOST, of which I cannot but insert the following abstract.

CHARLES R.

Right trusty and well-beloved, &c. We have been ^{King's} very much concerned at the accounts we have ^{letter con-} had, not only out of *Scotland*, but from several other ^{cerning} hands, of the great and insufferable insolencies lately ^{the west-} committed by the *fanaticks*, especially in the shires of ^{ern shires,} *Ayr, Renfrew, Stewartry of Kirkcudbright*, and other adjacent places, and also in *Teviotdale*, and even in *Fife*, where numerous *conventicles*, which by act of parliament are declared *rendezvous* of rebellion, have been kept, with *solemn communions* of many hundreds of people, and seditious and treasonable doctrine preached against our person and all under us, inciting the subjects to open rebellion, and to rise in arms against us and our authority and laws, unlawful oaths imposed, the churches and pulpits of the regular clergy usurped, by force invaded, and their persons still threatned with assassination and murder, and (what they have not formerly attempted) preaching-houses have been lately built, and unlawful meetings of pretended synods and presbyteries kept, thereby designing to prosecute their rebellious intentions, and to perpetuate the schism.

These insolencies, being so recent, have moved us to provide fit and timely remedies; and therefore we have appointed some of our *English* forces to march to the north near the *Scots* border, and a part of our army in *Ireland* to ly at *Belfast*, near the sea-coast towards *Scotland*.

We have been with much satisfaction informed, that you have required the noblemen and others, who have interest and considerable vassals--in the *Highlands* and places ---adjacent, to be in readiness, with what forces they can bring out, to rendezvous at *Stirling*, and from thence to march with our standing forces, upon the first advertisement, for the prosecution of our service. And, seeing we are fully resolved to maintain and defend the government of the church in that our kingdom, *as it is now established by law*,---therefore we do hereby require and authorise you to command all these forces before mentioned ---to march to these shires and places---so infested with

re-

1677. rebellious practices, and there to take effectual courses for reducing them to due obedience to us and our laws, by taking free quarter from the disaffected, and by disarming of all you shall find necessary, and securing all horses above such a value as ye shall think fit, by causing the heritors and liferenters to engage and give *bond* for their tenants, and others who live upon and possess their lands, that they shall keep no conventicles, that they shall live orderly and obedient to the laws, and by causing the tenants and masters of families give the *like bonds*; by causing every parish, and the heritors of it, give surety that no conventicles shall be kept within any part of the parish, property or common, nor harbour or commune with the rebels, or persons *intercommuned*; and for keeping the persons, families and goods of the *regular* ministers harmless, and that under such penalties as ye shall think fit, by causing all heritors, tenants, liferenters, and others, take the oath of allegiance to us, by using and prosecuting all other means and methods---for---putting at last an end to these insolencies and disorders; and, in case of resistance, that, in our name, you give warrant to resist them by *force of arms*.

And, for the more effectual prosecution of these our commands, that you punish the disobedient, or those you judge disaffected, by fining, confining, imprisonment, or banishment. And farther, that ye place sufficient garrisons in all places where ye shall from time to time find it necessary. And if, at any time hereafter, ye shall judge that these forces ye have prepared are not sufficient for this undertaking, we do empower and authorise you to call to your assistance those of our forces now lying in the north of *England* and the north of *Ireland*, one or both, as ye shall find cause.---

And, lastly, we do authorise and require you to call together our militia of that our ancient kingdom,---and to command and charge all heritors, freeholders, and others, and, if need be, all betwixt sixty and sixteen, to come and attend our host, under the pain of treason, according to the ancient laws of that our kingdom; and that ye---emit such proclamations as ye shall find necessary for this our service from time to time.---- And so we bid you heartily farewell. Given at *Whitehall*, December 11. 1677.

In consequence of this letter from his majesty, the managers agreed to raise an army, known in *Scotland* by

by the name of the HIGHLAND HOST. Accordingly, 1677: on the 26th of *December*, a commission passed the seals for raising the *highlanders* and others, and forming them into troops and companies. By virtue of this commission they were to be at *Stirling* by the 24th of *January* next; in their march they were to take, and, if the same should be refused, force quarter for their money: Nay, by this commission they had authority to take *free quarter*, as the council or their committee should appoint, and, if need be, to seize on horses for carrying their sick men, ammunition or provisions. In a word, they were indemnified against all pursuits, civil and criminal, on account of killing, wounding, apprehending or imprisoning such as should oppose them.

Commission for raising the Highlanders.

One would imagine, from such mighty preparations, that the whole nation was upon the point of being invaded. But all this was for the suppressing of *conventicles*, and distressing those who had given no provocation, farther than that they could not abandon their religious principles, and submit to *abjured prelacy*; and therefore an army of *highlanders* must force it down their throats. Perhaps some of the managers might expect that the oppressions of the *Highland army*, now to be raised, would force the people to take arms, and so a fine handle would be given to make a sacrifice of them to the resentments of the *prelates* and the duke of *York*. Notwithstanding the people generally adhered to their principles, and at the same time patiently endured their sufferings.

Remarks.

CHAP. XII.

Of the trial and execution of Mr. James Mitchel; the proceedings of the council and committee; the bond of conformity; together with the ravages of the Highland host during the months of January and February 1678.

THE first two months of the year 1678. present us with a series of oppression as unprecedented as barbarous. Several noblemen and gentlemen, foreseeing the terrible effects of the measures now pursuing, resolved to go to court, and give the king a faithful account of the circumstances of *Scotland*. But, when this took air, the bishops and *Lauderdale*, in order to frustrate the design, procured an act of council to be passed,

An act discharging any to leave the kingdom.

1678. passed, on the third of *January*, discharging all noblemen, gentlemen and heritors from leaving the kingdom without the council's permission, and requiring all between 60 and 16 to be in readiness to join the king's host. And as duke *Hamilton* was of the greatest rank and interest in the west, the council, on the same day, wrote to his grace, signifying their resolution, that a committee of the council should go along with his majesty's forces, who were to rendezvous at *Stirling*, and to march west from thence for his majesty's service, and requiring him to meet the said committee at *Glasgow*, the 26th of this instant, and to receive and obey such orders of the council, or the said committee, from time to time, as should be thought necessary.

The same day *Lauderdale*, at the command of the council, wrote to the earl of *Cassils*, requiring him, as baily principal of *Carrick*, to attend the said committee, at *Glasgow* the 26th instant, and receive and obey their orders, which his lordship did accordingly.

It was now determined to prosecute Mr. *James Mitchel*; and therefore, on the third of this month, Sir *George Lockhart* and Mr. *John Ellis* were appointed to plead for him before the justiciary. Bishop *Burnet* says, 'Things being then in great disorder, by reason of the numbers and desperate tempers of those who were intercommuned (he should rather have said, by reason of the illegal, cruel and arbitrary proceedings of the managers) *Sharp* pretended he was in great danger of his life, and the rather because the person who made the attempt upon him was let live still; and therefore *Sharp* WOULD HAVE HIS LIFE, and duke *Lauderdale* gave way to it.' Sir *Archibald Primrose*, lately turned out of the register's place, was made justice-general. He fancied, says *Burnet*, that orders had been given to raze the act that the council had made*, but turning to the books, he found the act still on record. So he took a copy of it, and sent it to Mr. *Mitchel's* council, and a day or two before the trial went to *Lauderdale*, who, together with *Sharp*, lord *Roths*, and lord *Halton*, were summoned as the prisoner's witnesses. *Primrose* told *Lauderdale* that many thought a promise of life had been given; the latter stiffly denied it: And the former said, That he heard there was an act of council made about it, and wished that that might be looked into. *Lauderdale* said he was sure it was not possible, and he would

Mr.
Mitchel
prosecut-
ed.

p. 414.

* p. 315.

would not give himself the trouble to look over the 1678. books of council.

His trial began on the seventh of *January*. The great proof brought against him was his confession the 10th of *February* 1674. Many and long were the reasonings upon the points in the indictment; and Sir *George Lockhart* argued, in behalf of the prisoner, with great judgment and learning, to the admiration of the audience, shewing, That no extrajudicial confession could be allowed in court, and that his confession was extorted from him by hopes and promise of life. I must refer the curious reader to Mr. *Wodrow's* appendix, where he will find the defences, replies and duplies at large, No. 93. The debates were so tedious, that the court adjourned till the 9th of *January*.

Then, after some witnesses were examined relating to the attempt upon the *bishops*, the lord advocate produced his witnesses for proving Mr. *Mitchel's* confession. And, first, the earl of *Rothel*, being shewn Mr. *Mitchel's* confession, swore, That he was present and saw him subscribe that paper, and heard him make the confession contained therein, and afterwards ratify the same at the council-bar, in the presence of the king's commissioner, the lords of privy-council sitting in council, and that he had subscribed the said confession; but that he did not at all give any assurance to the prisoner for his life; that the prisoner never required any such assurance; and that his lordship does not remember that there was any warrant given by the council to his lordship for that effect; and, says he, if there be any expressions in any paper, which may seem to infer any thing to the contrary, he conceives it hath been insert upon mistake. *Charles Maitland* of *Halton* and the duke of *Lauderdale* swore much to the same purpose.

Then archbishop *SHARP* swore, ' That that day the pannel or prisoner did fire at his grace, he had a wave of him passing from the coach, and passing the street, which made such impression upon his grace, that, by the first sight he saw of him, after he was taken, he knew him to be the person who shot the shot. Deposes, his grace saw him at the council-bar, in presence of his majesty's commissioner and council, acknowledge his confession before the committee, and heard him adhere thereto, and renew the same; and that there was

1678. *Perjury.* no assurance of life given him, nor any warrant to any others to do it; only he promised, at his first taking, that, if he would freely confess the fault, and express his repentance for the same at that time, without any farther troubling judicatories therein, his grace would use his best endeavours for favour to him, or else leave him to justice. But that he either gave him assurance, or gave warrant to any to give it, is a false and malicious calumny. And that his grace made no promise to *Nicol Somervel*, other than that it was his interest to make a free confession.' This *Nicol Somervel* offered to give his oath that the archbishop promised to him to secure his life if he would prevail with him to confess. The archbishop denied this, and called it a villanous lie.

Copy of the act of council produced. After these witnesses were examined, the advocate declared he had closed the *probation*; whereupon the prisoner produced a copy of an act of council, 12th March 1674. praying that the register might be produced, or the clerks be obliged to give extracts, which they had refused. 'Lockhart, says Burnet, pleaded, That since the court had adjudged that the council was a judicature, all people had a right to search into their registers, and the prisoner, who was like to suffer by a confession made there, ought to have the benefit of those books. But Lauderdale, who was in the court only as a witness, and so had no right to speak, stood up and said, That he and those other noble persons were not brought thither to be accused of *perjury*; and added, That the books of council were the king's secrets, and that no court should have the perusing of them.' In short, this defence was rejected, and next day Mr. Mitchel was brought in guilty, and condemned to be hanged in the Grass-market of Edinburgh on Friday the 18th instant.

Burnet, ibid. As soon as the court broke up, the lords went up stairs, and, to their shame, found the act recorded and signed by lord *Rothes* the president of the council. 'This action, says that historian, and all concerned in it, were looked at by all people with horror. And it was such a complication of treachery, perjury and cruelty, as the like had not perhaps been known.'

Mr. Mitchel's letter. Naphthali. Mr. Mitchel, in a letter to a friend, from the tolbooth of Edinburgh, February 1674. says, That, as to his design against *Sharp*, 'he looked on him to be the main

main instigator of all the oppression and bloodshed of 1678. his brethren that followed thereupon, and of the continual pursuing of his life. And he being a soldier, not having laid down arms, but being still upon his own defence, and having no other end or quarrel at any man, and so had a right to take every advantage against him. Moreover, we being on no terms of capitulation, but, on the contrary, *says he*, I, by his instigation, being excluded from all grace and favour, thought it my duty to pursue him on all occasions.' A little farther he says, 'I shall offer to your consideration that passage, *Deut. xiii. 9.* wherein it is manifest, that the seducer or enticer to worship a false God is *to be put to death by the hand of those whom he seeks to turn away from the Lord*, especially by the hand of the witnesses, whereof I am one, as it appeareth *Deut. xiii.* which precept I humbly take to be *moral*, and not merely judicial or ceremonial. And as every moral precept is universal as to the extent of place, so also as to the extent of time and persons.' After this he took notice of *Phinehas*, *Elijah*, &c. and added, 'I know that the *bishops* both will and do say, That what they did against the Lord's people, whom they murdered, they did it by *law* and *authority*, but what I did was contrary to *both*. I answer, the king himself, and all the estates of the land, and every individual person in the land, both were and are obliged, by the *oath of God* upon them, to have extirpated the perjured *prelates* and *prelacy*; and, in doing thereof, to have defended one another with their lives and fortunes.---And now they vaunt of *authority*! But what authority do they mean? Truly I know not, except it be the authority of their *aggregated Gods*, *new Gods*, &c.'

The reader will by this time perceive that Mr. *Mitchel* looked upon himself as in a state of *war*, and that as *Sharp* was doubtless one of the chief instigators of the oppression and bloodshed of this dismal period, he therefore thought he had a right to take every opportunity of cutting him off, especially as all the ways of common justice were blocked up. However this matter will come again before us, when we shall relate how *Sharp* met with what he justly deserved at God's hand.

But supposing Mr. *Mitchel's* attempt unjustifiable, yet, considering the promise of life given him, it is plain

1678. plain he was unjustly put to death, as was sufficiently argued at his trial. Two days after the sentence an order came from court for placing Mr. *Mitchel's* head and hand on some publick place of the city, but, as the sentence was passed, no alteration could be made, and, if this order was procured by *Sharp's* means, he missed his end. — About this time Mr. *Mitchel's* wife petitioned the council that her husband might be reprieved for a short time, that she might be in case to see and take her last farewell of him, especially as it was not 12 days since she was brought to bed, and was then in a fever. But no regard was paid thereto; for, on the 18th, he was executed according to the sentence. His last speech being interrupted by the beating of drums, he threw it over the scaffold, and is as follows.

‘*Christian people,*

Copy of
his speech.

IT being rumoured abroad, immediately after I received my sentence, that I would not have liberty to speak in this place, therefore I have not troubled myself to prepare any formal discourse, or account of the *pretended crime* for which I was accused and sentenced; neither did I think it very necessary, the fame of the process having gone so much abroad, what by a former indictment given me near four years ago, the diet whereof was suffered to desert, in respect the late advocate could not find a *just way* to reach me with the *extrajudicial* confession they opposed to me. All knew he was zealous in it; yet my charity to him is such, that he would not suffer that unwarrantable zeal so far to blind him, as to overstretch the laws of the land beyond their due limits, in prejudice of the life of a native subject. Next, by an extreme inquiry of *torture*, and then by exiling me to the *Bass*, and, after all, by giving me a new indictment at the instance of the new advocate, *who before was one of mine* when I received the first indictment, and to which new indictment and debate in the process I remit you, and particularly to these two defences of an *extrajudicial* confession, and the *promise of life* given to me thereupon by the chancellor, upon his own and the *publick faith* of the kingdom; upon the verity whereof I am content to die, and ready to lay down my life, and hope your charity will be such to me, a dying man, as not to mistrust me therein, especially since it is so notoriously

ad-

adminiculate by an *act of secret council*, and yet denied upon oath by the principal officers of state present in council at the making of the said act, and whom the act bears to have been present, the duke of *Lauderdale*, being then his majesty's commissioner, likewise present; and which act of council was by the lords of justiciary most unjustly repelled: But I shall have charity for some of the said lords, who, I know, would have given law and justice as to my just absolution, if they had not been overpowered with plurality of votes by those who were overawed and dared by the lords of the secret council; but that will not absolve their consciences at the last day. As to my advocates and lawyers, I ingenuously acknowledge their care, fidelity and zeal in my defence, which I hope will be a standing fame to some of them for this and all future generations. Thus much for a short account of this affair, for which I am unjustly brought to this place. But I acknowledge my private and particular sins have been such as have deserved a worse death to me; but I hope, in the merits of Jesus Christ, to be freed from the eternal punishment due to me for sin. I am confident that God doth not plead with me in *this*, for my private and particular sins; but I am brought here, *that the work of God may be made manifest, and for the trial of faith*, John ix. 3. & 1 Pet. i. 7. and that I may be a witness for his despised truths and interests in this land, where I am called to seal the same with my blood. And I wish heartily that this my poor life may put an end to the persecution of the true members of Christ in this place, so much actuated by those *perfidious prelates*; in opposition to whom, and in testimony to the cause of Christ, I at this time lay down my life, and bless God that he hath thought me so much worthy as to do the same for his glory and interest. Finally, concerning a christian duty in a singular and extraordinary case, and anent my particular judgment concerning both church and state, it is evidently declared and manifested elsewhere. So farewell all earthly enjoyments, and welcome Father, Son and Holy Ghost, into whose hands I commit my spirit,

JAMES MITCHEL.

N. B. The reader will find the testimony, referred to in the close of this speech, in the last edition of *Naphtali*, it being too long for this place,

1678. I shall now proceed to affairs of a more publick nature. When the design of the *Highland host* was formed, as we have related, the chancellor *Roths* went to *Fife*, and with much difficulty prevailed with most of the heritors to go into the following bond.

The bond. WE the noblemen, barons and heritors of the sheriffdom of *Fife*, under-subscribing, faithfully bind and oblige us, that we, our wives, bairns and servants, respectively, shall no ways be present at any *conventicles* or disorderly meetings, in time coming, under the pains and penalties contained in the acts of parliament thereanent.

As also, we bind and oblige us, that our hail tenants and cottars respectively, their wives, bairns and servants, shall likewise abstain and refrain from the said *conventicles* and other illegal meetings not authorised by law; and in case any of them shall contraveen the same, we shall take and apprehend any person or persons guilty thereof, and present them to the judge ordinary, that they may be fined and imprisoned therefore, as it is provided by the acts of parliament made thereanent, otherways we shall remove them and their families from off our ground; and, if we fail herein, we shall be liable to such pains and penalties as the delinquents have incurred by the law. And, for the more security, consenting their presents be registered in the books of council, &c.

This bond was signed at *Cowpar* on the 3d of *January*, and presented to the chancellor on the 10th; and though the reader may perhaps think it was a pretty strong obligation, yet our managers, not judging it sufficient, insisted that the heritors should sign the following

Bond of Conformity.

WE the noblemen, barons and heritors of the sheriffdom of *Fife*, under-subscribing, faithfully bind and oblige us, that we, our wives, bairns and servants, respectively, shall noways be present at any *conventicle* or disorderly meeting in time coming, but shall live orderly in obedience to the law, under the pains and penalties contained in the acts of parliament thereanent. As also we bind and oblige us, that our hail tenants and cottars respectively, their wives, bairns and servants, shall likewise abstain and refrain from the said *conventicles*, and other illegal meetings not authorized by law. And farther, that we or they shall not resett, supply or commune with forfeited persons, intercommuni-

ed ministers, or *vagrant preachers*, but do our utmost to apprehend their persons. And in case our said cottars, tenants, and their forefairs, shall contraveen, we shall take and apprehend, &c.' as in the former bond. 1678.

This new bond was sent to the shire of *Fife*; and the same day the council ordered 100 men to be detached from the four militia regiments for suppressing *conventicles* there, and to be maintained by the shire. The pretence was, because it was in this country that Mr. *Welsh* began *field-conventicles*, which afterwards spread through the kingdom.

About the same time the nobility and gentry of the shire of *Ayr*, apprehending that the *Highland host* was chiefly intended against them, deputed nine of their number to go to *Edinburgh*, and represent to the council that moderate measures would more effectually put a stop to all alledged disorders, especially as they could not observe the least appearance of disloyalty among the people, notwithstanding their being addicted to *conventicles*: But *Lauderdale* would hearken to nothing, unless the gentlemen would presently sign the *bond*, and oblige themselves for all the rest of the heritors. This they could not do, and so returned as they came; nay, they could not obtain so much as a delay of the orders for the forces to march, until the gentlemen of the shire were met to consider the terms proposed; so bent were the managers, at the instigation of the *prelates*, to execute their cruel designs.

Fruitless representation of the gentlemen of Ayr.

Though the general rendezvous of the forces was appointed to be at *Stirling* the 24th of *January*, and the committee of council to meet at *Glasgow* the 26th, yet upon the ninth secret orders were given to the half of the regular forces, a squadron of horse, and four companies of foot, to march west. Accordingly they entered *Glasgow* on the 13th, being the Lord's day, in time of publick worship, and immediately made a strict search for arms, and fugitive and *intercommuned* persons. The bishop of *Argyll*, and some others, had represented, that on that day the *ejected* ministers were to administer the Lord's supper, and that an insurrection was to follow. Whereas the real ground of this fright, if it may be so called, was, that the *presbyterians* in and about *Glasgow* had kept the *Tuesday* before as a day of private fasting and humiliation in this time of calamity and distress. However, the story took, and the soldiers were quartered

The town of Glasgow surprised.

1678. tered at *Glasgow*, to prevent an insurrection that was never thought of. *John Anderson* of *Dowhill* was seized, but was set at liberty upon giving security to appear when called. These soldiers, though harbingers to the *Highlanders*, having behaved with the utmost insolence, were greatly exceeded by their successors.

Artillery
sent west.

Commit-
tee of
council.

Their in-
structions.

Duke Ha-
milton
excused
himself.

Army
rendez-
vous at
Stirling.

On the 15th a train of artillery was ordered west, and 1000 merks issued from the treasury to defray the expences, though they had neither towns to besiege, nor armies to encounter. And, on the 18th, the marquis of *Athole*, the earls of *Mar*, *Moray*, *Glencairn*, *Wigtoun*, *Strathmore*, *Linlithgow*, *Airly*, *Caithness*, *Perth*, and lord *Ross*, were appointed as a committee of council to attend the army: Of that number nine were officers in the army, or had brought down the *Highlanders*, and so were the more likely to manage things to purpose. The same day these noblemen, or any five of them, received full power to issue out proclamations and orders to pursue and punish delinquents, to apprehend and secure suspected persons, and to order such bonds to be subscribed as they should think fit. In a word, they were invested with the authority of the privy-council, as their commission more fully bears. At the same time these commissioners received full and extensive instructions too tedious to be here inserted. I shall only observe, that, by virtue thereof, they were to manage the army, and give orders to the country, to sheriffs and other magistrates; nay, they, or any three of them, were vested with a *justiciary power*, and constituted a criminal court. But then the managers, to save themselves, ordered this committee to free from quartering all the lands of counsellors, and such as have subscribed the bond, and obey the orders of the committee.

On the 21st of *January* the council met at *Edinburgh*, when a letter was read from duke *Hamilton*, wherein his grace excused himself from attending their committee by reason of his indisposition. They, at the same time, sent their orders to the gentlemen of the shire of *Lanerk* to meet at *Hamilton*, when required by the committee, and receive their orders.

Things being thus far settled, and the marquis of *Athole*, the earls of *Mar*, *Moray*, *Caithness*, *Perth*, *Strathmore* and *Airly*, having assembled what men they could raise from the *Highlands*, marched to *Stirling*, where

where they were joined by the lord *Linlithgow* with the regular forces on the 24th of *January*. These, with the *Angus* militia, and some gentlemen from *Perthshire*, marched next day from *Stirling*, and were all at or about *Glasgow* by the 26th. 1678.

Their numbers were as follow : About 1000 foot of regular forces ; the *Angus* militia and *Perthshire* gentlemen 2200 ; *Highlanders*, about 6000 ; horse-guards 160 ; besides five other troops of horse ; together with the several retinues of the lords of the committee and others, with a vast number of stragglers, who came only for booty and plunder ; so that, by a moderate computation, they may be reckoned to have been 10,000 in all. They had a large quantity of ammunition, four field-pieces, vast numbers of spades, shovels and mattocks, as if they had been to attack strong fortifications. They had likewise good store of iron shackles, as if they had been to carry back a parcel of slaves, and *thumb-locks*, as they called them, for the examination and trial of such as they should see required it. The musqueteers had their daggers so made, as, if need were, to fasten on the muzzles of their pieces for mauling horse, like our bayonets, not then brought to perfection. Such a formidable company could not but fill all the country with consternation in a time of peace ; nay, the very gentlemen and officers in the army itself, who were of any temper and reason, were surpris'd upon their entering into a country entirely peaceable, which had been represented, and they had expected it, to be all up in arms. *Their numbers.* *Their furniture.*

At *Glasgow* the committee of council met, opened their instructions, and immediately set about disarming the peaceable country, and pressing the *bond* ; and, on the 28th of *January*, the sheriffs of *Roxburgh*, *Stirling*, *Lanerk*, *Renfrew*, *Wigtoun*, and *Dumfries* shires, and the *sheriffs*. *Committee of the council.* *Orders to the sheriffs.* *Stewartry of Kirkcudbright*, were before them, and received instructions and orders—to assemble all the heritors, liferenters, &c. in their respective shires, for subscribing a *bond* which had been signed by the lords of the committee ; of which a copy was given them—to oblige the leaders of the horsemen of the militia ---troops to deliver up all the militia-arms, swords, pistols, holsters, and all the heritors, and others in whose hands they were, to do the same ;---to disarm all other persons, except privy-councillors, officers and

1678. soldiers in the king's pay, together with noblemen and gentlemen of quality, who were permitted to wear their swords *only*---to give the committee a list of these persons of quality. In short, the sheriffs were ordered to disarm their shires *upon oath*, and report their diligence by the seventh of *February* next. I shall not here give the reader a copy of this bond, because it is almost *verbatim* the same with that sent by the managers to the

* p. 382. shire of *Fife* *.

Additional clause. They who took the *bond*, being to receive protection, were obliged to subscribe this additional clause: 'And I do farther hereby oblige me, that I shall not own any person's lands or goods, but such as do properly belong to myself, under colour of the protection given to me, and that under such pains and penalties as the council or committee of council shall impose, in case I contraveen.'

Reasons against this bond. There were, about this time, many papers writ against this bond, and particularly these following things, among others, were urged. 1. That the council had no power to press it, or any other, without the authority of king and parliament; whereas they had no authority for this but the king's letter. 2. None of *presbyterian* principles could take this *bond*, because it obliged him to walk according to the law establishing *episcopacy*, and to take *that* to be a rule which he judged unlawful; and so to act contrary to the dictates of his conscience, which is not to be forced. 3. The *bond* obliged him, who signed it, to give no relief to, or have any conversation with *outed vagrant* ministers, though sometimes they might be great objects of charity and compassion. And if we are not to shut our bowels of pity against *Turks* and *Pagans*, when in misery, how can we suffer them to be shut against christians? Are we not taught to *do good to all*, especially the *household of faith*? Whereas, when our relations are, what is called, *vagrant ministers*, this *bond* obliges us to be unnatural. 4. The *bond* obliged to take and apprehend those it speaks of. But how unsuitable is it for gentlemen, and most of the king's free lieges, to turn macers or messengers at arms? And who can be forced to that unless he please? We are only obliged to take traitors, or such as are guilty of *lese-majesty*. 5. None can bind for more than *himself*, and consequently whoever took this *bond* bound himself to an impossibility.

For

For how can a nobleman or gentleman bind himself to 1678. that which all the king's forces could not do? If the council, or their committee, had required men to oblige themselves to *endeavour* the conformity of others, there had been some colour of reason; but to bind men to be liable for *other mens transgressions* was without all precedent; and the law of God, in the strictest relation that can be, expressly says, That the son shall not die or suffer for the father's transgression, much less *the father for the son's*, and, least of all, *the master for the tenant's*.

These are a few of the reasons that were urged against this *bond*. The reader will remember, that, when the council found it expedient not to insist upon pressing a *bond* much like *that* we are now treating of, they gave this for a reason, *That the law itself is the strongest bond that can be exacted of any man* *. How * p. 366. unsteady must their councils have been, that, in about four months time, they should press *this bond* so universally, and force it upon people by the dreadful motive of a standing army and a *Highland host*!

On the 29th of *January* the committee for publick Fanatick affairs was ordered by the council to remove some *fanatick* ministers from the *Tolbooth* of *Edinburgh* and the *Cannongate* to the *Bass*. My author takes notice, that this was the first time that he met with the epithet of *fanatick* ministers in the registers.

The same day the committee commanded the earl *Earl of Cassils*, as bailie principal of *Carrick*, to receive from all persons, in whose hands the militia-arms were, all the said arms, and to order all heritors, &c. to bring with them their tenants, cottars and servants, with their arms of all sorts, to be delivered upon oath, to such as the major-general should appoint, in the presence of his lordship or his deputed, declaring, That all that refused should have soldiers quartered upon them; and to give an account of his diligence to the committee at *Ayr* on the 7th of *February* following; which was done accordingly. Mean while the *Highland host* marched west, and by the 7th of *February* were dispersed all over *Cunningham* and *Kyle*, where they behaved as if they had been in an enemy's country. It is remarkable that they were let loose upon the shire of *Ayr* before the committee went among them, or any offer of the *bond* was made to them.

1678.

Committee sit
down at
Ayr.

On the seventh of *February* the committee sat down at *Ayr*; and, among the first things they did, they ordered the earl of *Cassils* to pull down the meeting-houses in *Garrick*. According to their orders the earl had already delivered up all his arms, except his sword, and therefore desired that he might have the assistance of some soldiers in case of resistance; But this was refused, neither would they restore him any of his arms, which made him hesitate a little upon their unreasonable demands, till one of his friends, a member of the committee, whispered him in the ear, that there was but an hair-breadth between him and prison, and therefore he no longer declined their orders. However, some country people having notice of what passed, out of regard to his lordship, saved him the trouble, and pulled the meeting-houses down before he came.

Report of
the sher-
iffs.

The same day they received the report of the sheriffs appointed to be given in. The return from the sheriff of *Dumfries* and *Nithsdale* was voted satisfactory. Mr. *Ezekiel Montgomery*, sheriff-depute of *Renfrew*, reporting, That only two of the most insignificant gentlemen, and three burghesses, had taken the *bond*, the committee was displeased. But the report from the shire of *Lanerk* provoked them out of measure; for it seems, that, of 2900 heritors and feuars, only nine of small interest of the former, and ten of the latter, had signed the bond. The duke of *Hamilton*, the lords *Blantyre* and *Carmichael* peremptorily refused it; and when, by force or fraud, some complied, their compliance cost them many bitter reflections.

Queries
upon oath
concerning
arms.

In the more remote shires, some of the sheriffs pretending they had not received a copy of the *bond*, declined a report, and begged a new day for presenting the *bond* a second time, and renewing their inquiry for arms. This was granted; but then they were required to demand of every person upon oath, 'Whether he had any arms? or disposed of any since the first of *January* last? if gifted or sold? to whom? or if hid? and where?' These queries were extended to all the shires; nay, the officers of the *Highlanders* were, in some places, intrusted with this matter; so that by this means the whole country was rendered incapable of defending itself in case of any emergency.

Earl of
Cassils
distressed,

Mean while the committee at *Ayr* published an act on the ninth of *February*, commanding all the heritors and

and others to appear before them on the 18th, 19th, 20th and 21st, in order to take the *bond*. And accordingly notice was given by the sheriff-officers, and all the parishioners of *Dundonald* were summoned to meet in the church at the *Kirkcoun*, and bring with them all their cottars, servants, and arms of all sorts. The earl of *Cassils*, by virtue of an order from this committee, ordered their act to be published through the parishes within the bounds of his bailiary or jurisdiction. But, notwithstanding his complying with every thing, on the 10th of *February* 1500 men were sent upon free quarters into the jurisdiction of *Carrick*, 10 or 12 days before the gentlemen were to appear before the committee; and most of them were quartered upon the earl of *Cassils*'s estate, where they committed many insolencies and cruelties, for which there was no remedy.

Mean time the reports made from several shires, *Procla-* convincing the council that it would be no easy mat- *mation.* ter to make the *bond* take, they went another way to work. Accordingly, on the 11th of *February*, they published a proclamation, discharging all heritors, life-renters and masters, to receive tenants or servants without certificates that they had taken the *bond*; so that this *bond* became an universal *test*. The *bond* was annexed to the proclamation, and was signed at *Edinburgh* by the councillors that same day, and ordered to be signed by the lords of session at their first meeting. The same 11th of *February* the committee at *Ayr* published a proclamation much to the same effect, discharging all persons from harbouring tenants or cottars who refused the *bond*, under the penalty of 600 *l. Scots* for each tenant.

On the 14th of *February* the council made an act for *Act for* securing the publick peace, as they termed it. '— That *securing* since every private subject may force such from whom *the pu-* they fear any harm, to secure them by *lawborrows*; and *blick* that it hath been the uncontroverted and legal practice *peace.* of his majesty's privy-council, to oblige such, whose peaceableness they justly suspected, to secure the peace for themselves, their wives, bairns, men, tenants and servants — under such penalties as they find suitable to their contempt, guilt, or occasion upon which such sureties are sought; therefore the lords of the privy-council, considering that his majesty hath declared his just suspicion of those who refuse or delay to take the said

1678. said *bond*, and being themselves justly suspicious of their principles and practices who refuse the same, do ordain, that all such persons be obliged to enact themselves in the books of secret council, that they, their wives, bairns, &c. shall keep his majesty's peace; and particularly that they shall not go to *field-conventicles*, not harbour or commune with *rebels* or persons *inter-communed*; and that they shall keep the persons, families and goods of their *regular* ministers harmless, and that under the double of every man's yearly valued rent, (if he have any) and of such other penalties as shall be thought convenient — if they have no valued rent, &c.'

Remarks. It is plain, the managers were grievously vexed at the general refusing of the *bond*, not by the meaner sort only, but even by noblemen, gentlemen, and several of the most eminent lawyers; the earls of *Crawford*, *Callendar* and *Roxburgh*, the viscount of *Kilsyth*, the lords *Balmerino*, *Melvil* and *Newark*, all stuck at it.

P. 418. Bishop *Burnet* says, 'That this put *Lauderdale* in such a frenzy, that, at the council-table, he made bare his arms above his elbow, and swore by *Jehovah* he would make them enter into those *bonds*' Therefore, to force a general compliance, they fell upon this new and unprecedented method of *Lawborrows**.

Now, though such security be noways unreasonable with respect to private persons; yet, that the king and government should require this of subjects, and of the meanest of them, who refuse an unreasonable *bond*, seems most unaccountable, as it evidently discovers a jealousy between the sovereign and his subjects, and declares him to be in dread of them, I shall not trouble the reader with remarks on the preamble of this act, in which the *presbyterians* are charged with

schism

* The import of a *Lawborrows* is, that, when two neighbours are at such variance, as that they dread bodily harm from one another, the party injured procures from the justiciary, (formerly from the council) or any other judges competent, letters charging the other to find caution or security that the complainer, his wife, children, &c. shall be harmless from the person complained upon, his children, servants, &c. but before such letters can be granted the complainer must give his oath that he dreads bodily harm, trouble, or molestation from him against whom he complains,

schism and rebellion. The same historian says, that 1678.
 ' these things seemed done on design to *force a rebellion*,
 which they thought soon would be quashed, and would
 give a good colour for keeping up an army; and that
Lauderdale's party depended so much on this, that, in
 their hopes, they began to divide among themselves the
 confiscated estates; so that on *Valentine's* day, instead of
 drawing mistresses, they drew estates. And great joy
 appeared in their looks upon a false alarm that was
 brought them of an insurrection: And they were much
 dejected when they knew it was false.' Many thought
 it very surprising that such a series of oppression, in-
 justice and cruelty, had not long before this stirred
 the people up to violent measures.

Jointly with this act the council sent farther instruc- Farther
 tions to their committee at *Ayr*, enjoining them to use instructions
 their utmost endeavours to reduce the heritors and o- ons to the
 thers to obedience who have not taken the *bond*,---to commit-
 pursue the said heritors and liferenters for all *conventi-*
cles kept on their own lands since the 24th of *March*
 1674.---to command all sheriffs, bailies of regali-
 ties, and their deputies, to take the *bond* themselves,
 and, in case of refusal, to proceed against them;---
 to allow all heritors, who take the *bond*, to wear their
 swords, otherways not, &c. And, as to the *lawbor-*
rows, they were to insist for security from all who re-
 fused, according to the act. In short, it was ordered
 that the *recusants* should have an indictment given them
 and be prosecuted to the utmost.

While the committee was thus engaged, the militia High-
 and *Highlanders* were ravaging the country about *Kyle*, landers
Carrick and *Cunningham*, without the least provocation ravage
 on the part of the *suffering people*, and even the few he- the coun-
 ritors and tenants who took the *bond* suffered much the try.
 same with those who refused it. And it is remarkable,
 that the poor oppressed people continued so peaceable,
 and so patiently bore the spoiling of their goods, and
 other outrages done to their persons, that the managers
 had not so much as a false alarm, except once, when it
 was talked, without any foundation, that a number of
 people was assembled in arms about *Fenwick-muir*; for,
 on the 18th of *February*, the council were told, that
 their committee, being informed of persons in arms a-
 bout *Fenwick*, had sent out a party, but none appeared,
 neither could they find that there had been any in arms.
 The

1678. The same day the council ordered the *Highlanders* to be dismissed and sent home, and appointed the militia of *Mid-Lothian, East-Lothian, &c.* to march towards *Glasgow* in their room. I do not know but they might be ashamed at the reports they received of their unprecedented ravages and oppressions.

Heritors before the committee. On the 19th, and following days of *February*, many of the heritors of the shire of *Ayr* were before the committee; and the earl of *Dumfries, Auchmannoch*, and some of small consideration, together with the magistrates of the town of *Ayr*, took the *bond*; but the generality stood out; and these had an indictment and charge of *lawborrows* given them to answer in 24 hours before the committee. One gentleman peremptorily refusing the *bond*, and being threatned with having the *Highlanders* sent to his estate, told them, He had no answer to that argument, and could not help it; but, before he would comply with the *lawborrows*, he would go to prison.

Lord Cochran's case.

Next day the *recusants* were called to answer to their indictment. Lord *Cochran*, being among the first that was called, complained of the *shortness* of the diet allotted them, begged more time, and the assistance of lawyers, since they were required to give their oath concerning a crime that might be found capital. When all were removed, the lords gave it as their judgment that the council's diets were peremptory, and behoved to be answered presently; and that whatever the deponents declared should never infer *capital* punishment. When his lordship was called in, and had this intimated to him, he urged that, by act of council of the 5th of *October* last, all libels against *conventicles* were to be restricted to a month backwards, and none was bound to swear but for himself; and that they, who were ready to purge themselves by oath as to their own guilt, were to have no *bonds* presented to them. The advocate declared he knew of no such act. *Cochran* referred the matter to the clerk's oath, but that was refused, and his lordship was told that he must either swear, or be reputed guilty. Whereupon he gave his oath, That he was free of *conventicles*, and all his servants to his knowledge. In the afternoon lord *Cathcart*, Sir *John Cochran* and the laird of *Gesnock* being called, refused the *bond* in the same manner that lord *Cochran* had done. And the laird of *Kilbirnie* particularly urged

Lord Cathcart, &c.

urged the above act of council, and offered to produce 1678.
a copy of it, which was peremptorily refused; and, to prevent his taking instruments upon his offer, the earl of *Caithness* got the meeting to be suddenly adjourned. Others that came before them were threatened with exorbitant fines, double quartering, imprisonment, and the like, and were at length forced to answer their interrogatories: Nay, such was their unaccountable proceeding, that they presented the *bond* to a young lord under age, and, because he refused it, they treated him as the rest. But, notwithstanding these severities, the earls of *Cassils* and *Lowdown*, the lords *Montgomery*, *Cochran*, *Cathcart* and *Bargeny*, with all the rest of the gentlemen and heritors of *Ayr-shire*, and the town of *Irwine*, peremptorily refused; and therefore were all ordered to be declared rebels, and outlawed.

On the 21st *Patrick Sheriff* in *Knows*, and *James Shiels* P. Sheriff in *Boltoun*, were fined for being at *conventicles*, and ordered to ly in prison till they made payment.

This committee having ordered several gentlemen in *Carrick* to be imprisoned, they, upon the 22d of *February*, issued a proclamation, commanding all heritors and landlords, tenants and servants, who had not signed the *bond*, to part with all their horses above the value of 50 *l. Scots*, in a short limited time, under the penalty of forfeiting the horse, and paying 100 *l.* for each horse above such a value.

The same day the earl of *Cassils* appeared, and, refusing to subscribe the *bond* tendered to him, was therefore charged to appear next day before the lords of the committee, under the pain of *rebellion*, for being at *conventicles*, and other high crimes, and to give his oath upon the truth of his indictment. And though he appeared and cleared himself, by oath, of all the crimes laid to his charge, yet, because he refused to subscribe the *bond*, the lords appointed a messenger to charge him with letters of *lawborrows*; and, in case of failure, to denounce him rebel within six days. Hereupon he wrote to their lordships, intreating a week's delay, which was refused him. Wherefore he immediately repaired to *Edinburgh* to attend the privy-council, and offer them all possible satisfaction. But, upon his coming thither, a proclamation was issued, commanding all the *west country* noblemen, heritors, and others, to depart from *Edinburgh*, to their own houses, within three days; before which time he was actually denounced *rebel* at the market-crofs of *Ayr*, and

1678. letters were sent for apprehending his person. Wherefore his lordship found himself under a necessity to repair to *London*, in order to lay his case before his majesty.

Garrisons appointed. Mean while, on the 26th of *February*, the council had a letter from their committee, desiring garrisons might be appointed upon the removal of the *Highlanders*, which was complied with. Next day the committee was ordered to intimate to the town of *Irwine*, that they must find persons qualified to serve in the magistracy, who are willing to take the *allegiance, declaration, and sign the bond*, or else lose their privileges. And the same day the council impowered the magistrates of *Glasgow* to tear the burghs-tickets of all who refused the *bond*, and to turn all recusants out of their council. On the last of *February* the council recommended to their committee not to burden any who signed the *bond* with provision for the garrisons.

The occasion of them. The reader must be informed, that the garrisons were occasioned by a letter, wrote by the *conform clergy* in the west to the archbishop of *Glasgow*, wherein they signified, that they might abandon their charges as soon as the *Highlanders* left the country, if garrisons were not appointed. How far it was their duty, and how agreeable to that sacred function which they pretended to bear, to have any hand in such proceedings, let the world judge. It is true, my author did not see that letter, but he has published a letter from the presbytery of *Ayr* to the said archbishop, which sufficiently confirms the fact. *Wodrow*, vol. I. p. 479.

Highlanders ordered home. At last the committee, about the end of *February*, ordered the *Highlanders* home. They were now convinced that there was no forcing the *bond* upon the west country; neither did they rise in arms, as was expected, but bore all their oppressions with incredible patience. The *Highlanders* therefore, having wasted the country, marched off, except 500, who, with the *Angus* militia and standing forces, continued till the end of *April*, when orders came to dismiss them also. When they returned, they took along with them a great many horses, and vast quantities of goods out of the merchants shops; together with pots, pans, all sorts of wearing apparel, bed-clothes, and some plate bearing the names and arms of gentlemen. Nay, two of their colonels, *Airly* and *Strathmore*, were said to have sent home great sums of money, more than they possibly could have got by their pay. And this is not to be wondred at, since from one country

They are loaded with spoil.

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country parish it was calculated they had got about 1678. 1000 *L. sterling*. Upon their march homeward they took free quarters without restraint, except now and then that the country people would attack the stragglers, and retake some of their own goods. And Mr. *Wodrow* tells us, that the students in the college of *Glasgow*, and other youths, opposed 2000 of them at the bridge of *Glasgow*, and would not permit them to pass till they had delivered the spoil, and then only by forty at a time, who were conveyed through the *west port*, without being suffered to go through the town; that the custom-house there was almost filled with pots, pans, bed-clothes, wearing apparel, and the like. A particular account of all the depredations and ravages of this lawless *Highland* host would fill a volume; and they behaved with greater insolence and cruelty than a foreign enemy would have done; for, not content with free quarters, though that was most illegal, they openly robbed both, on the high-way and in houses, and every where took, from the country people, pots, pans, wearing apparel, and every thing they could lay their hands on; and whoever made any resistance were knocked down and wounded. In some places they tortured people, by scorching their bodies at large fires, and otherways, till they discovered where their money and goods were concealed. They killed their cattle, and drove away their horses; and, as if possessed of the authority of king and parliament, they imposed taxes on several places, threatening to burn their houses if they were denied. The meanest straggler exacted his *sixpence* a-day, and the modelled forces their *shilling*, or *merk Scots*. Nay, they openly offered to commit rapes; so that it is proper even to draw a veil over their unnatural and horrid wickedness committed up and down the country. In short, it is hard to say which is most to be admired, the conduct of persons of honour and quality, in being accessory to and encouraging of such things, or the patience of an oppressed people in bearing their sufferings without resistance; for my author says, That, unless in the parish of *Campsie*, where one of the *Highlanders* was killed, he had not found that resistance was made any where.

It is true, though the greatest part of the committee were furious promoters of those oppressions, yet there were two or three of a more moderate disposition; but these were out-voted. The marquis of *Arbore* was particularly

*Cruelties
of the
Highland
host.*

1678. cularly taken notice of for his clemency, and the earl of Perth for his equity. However, this moderate party prevailed at last so far as to get the *Highlanders* removed.

I shall conclude this chapter with some farther particular instances of the loss and hardship sustained on this occasion, especially in the shire of *Ayr*. The noblemen and gentlemen of that shire made some calculation of losses, in a paper which they drew up, in order to lay them, if need were, before his majesty. Mr. *Wodrow* has given it at large. However, the following abridgment of it is sufficient for my purpose.

An account of the losses the following parishes sustained by quartering, robbing and spoiling of the soldiers and Highland host.

In KYLE.				In CUNINGHAM.				
	L.	s.	d.		L.	s.	d.	
Ayr and Alloa	12120	0	0	Kilmarnock	} 14431	0	0	
St. Quivox	900	0	0	and Fenwick				
Monktoun - -	2700	0	0	Kilwinning - -	5895	15	8	
Tarbolton - -	6180	0	0	Stevenson - -	622	12	4	
Galtoun - -	3679	0	0	Ardrossan - -	1549	13	4	
Craigie - -	735	5	0	Dalry - -	653	12	8	
Riccartoun - -	2844	0	0	Dunlop - -	2629	16	6	
Dundonald - -	3373	6	0	Irwine parish	} 1029	0	4	
Barnwell - -	836	0	0	without the				
Symontoun - -	1300	6	0	town				
Mauchlin, Muir-	} 8985	8	0	Largs - -	1907	0	0	
kirk and Dalgean				Kilbryde - -	692	0	0	
Cultoun - -	3537	12	0	Kilbirny - -	2080	0	0	
Ochiltree and	} 5211	7	8	Lowdown, or	} 2934	13	4	
Auchinleck				Newmills				
Cumnock old	} 3015	6	4	Dreghorn and	} 1505	17	0	
and new				Pearstoun				
Sum of Kyle	55417	11	0	Kilmawers - -	3250	15	0	
In CARRICK.				Stewartoun - -	6062	12	8	
Straitoun - -	12000	0	0	Beeth - -	4891	0	0	
Colmanel - -	10000	0	0	Isle of Meikle-	} 266	13	4	
Kirkoswald and	} 1816	0	0	Cumray				
Girvan				Sum of Cuningham	50402	2	2	
Barr - -	1000	0	0					
Daylie - -	180	0	0	Sum total of	} 13749	6	2	
Maybole - -	1700	0	0	Kyle, Car-				
Dalmellington	} 4981	0	0	rick, and				
and Kirkmichael				Cuningham				
Sum of Carrick	31677	0	0					

It would be endless to mention the losses of particular persons ; however I cannot omit some instances. When this dreadful host came to the shire of *Ayr*, the curate of *Kirkoswald* procured a regiment for that parish ; and such was his ghostly care for his flock, that, by his direction, quarters were given for these plunderers. The small parish of *Dalmellington*, where one *Quintin Dick* had his residence, had 900 of them upon it. 1678.

The heritors who took the *bond*, and their lands, were free from quartering and exactions as far as those *Highland* robbers could be restrained ; but others had no mercy. Sir *William Cuningham* of *Cuninghamhead*, tho' but a school-boy, had the laird of *Dun's* whole troop quartered on his estate ; so that his tenants were grievously oppressed, and the victual that was laid up in the tower of *Cuninghamhead* was rendered useless by their treading it under their feet, to the great prejudice of the innocent minor. And all this under the direction of — *Dumbar* of *Grange*, nephew to *Dun*, and a cornet in his troop. This *Dumbar* forced his landlord, *David Muir*, to give him what money he had, threatning otherways to hang him in his own barn ; which he and his servants would have done, had they not been prevented by a number of women.

The town of *Kilmarnock* suffered extremely at this time. *John Borland* on the bridge lost 100 *l. Scots*. *William Taylor* merchant had a whole company of them quartered for one night besides his quota. *Matthew Hopkins* lost 500 merks. *William Dickie* merchant had nine of them upon him for about six weeks ; and when they went off they robbed his house, carried off a stocking full of silver-money, broke two ribs of his side, and so frightened his wife, then big with child, that she died soon after. This good man lost upwards of 1000 merks. *Hugh Mowat*, *James Stewart* and his son, and *James Aird*, with many others, were dreadfully oppressed. In a word, before they left *Kilmarnock*, they resolved, on the sabbath-day, to plunder the town, as several houses felt to their cost. When Mr. *Alexander Wedderburn*, indulged minister there, was interceeding for the place, a *Highlander* pushed him so severely on the breast, with the butt-end of his musket, as proved the occasion of his death. *Kilmarnock ravaged.*

The parish of *Evandale* in *Lanerk-shire* lost 1700 *l. 12 s. Scots*. The small parish of *Cambuslang*, in the same shire,

1678. shire, likewise suffered much; particularly *John Crosbie, David Donald, James Jackson, William Kerr* and *Thomas Robertson*. The lady of *Sir Patrick Houston* was by their insolent rudeness frightened to death.

From these few hints the reader may form a judgment of the dismal state of the country during the time of the *highland* host, and what a sensible pleasure it must have given all ranks to see them marching back to their native mountains. But still the measures of oppression were carried on, as I am to relate.

C H A P. XIII.

Of the proceedings of the council and their committee after the return of the highland host; the appointment of garrisons; the convention of estates; the cels; the progress of the persecution, and other things, to the end of the year 1678.

Committee's letter to the council.

THE damages done by the *highland* host were so great, that the managers were pleased to dismiss them; but still they continued to pursue the non-conformists with rigour and severity. Accordingly, on the first of *March*, a letter from the committee was read in council, signifying that they had charged all who had not taken the *bond with lawborrows**, and had sent their names to the council, in order to their being declared rebels; but that the noblemen and gentlemen charged had left their own houses, and come in to *Edinburgh*; so that the principal persons concerned cannot be apprehended. All the heritors in *Renfrew* and *Lanerk* were thus charged.

Mr. R. Anderson favoured. L. Cochran's, &c. petition rejected.

The same day *Mr. Robert Anderson* was before the council for non-conformity; but he was released upon giving bond to appear when called. But though the lord *Cochran*, the laird of *Kilbirnie*, and others, offered a petition for the suspension of the *lawborrows*, yet the council signified to their committee, that they would receive no petitions from the gentlemen come to *Edinburgh*, and that they had commanded them by proclamation to remove.

Act about garrisons.

Mean while the committee at *Ayr* passed an act on the fourth of *March*, appointing garrisons in the following places, viz. in the house of *Blairquhan* in *Carrick*, of 100 foot and 20 horse, in *Barskimming* and *Cesnock*, of

50 foot and 10 horse each; and ordering the commissi- 1678.
oners of supply to meet on the 7th to provide necessa-
ries for them, and give an account of their diligence on
the 8th.

But, before these things could be done, the council, *Council's*
on the 6th of *March*, sent a letter to his majesty, giv- *letter.*
ing him an account of the proceedings of this commit-
tee with respect to the *bond*, &c. and throwing the
most false and invidious reflections on the *non-confor-*
mists, in order to have their iniquous conduct authoris-
ed by the king; for they intimate, that all things
were done in pursuance of his orders in his letter of
the 11th of *December* last. But, as bishop *Burnet*
very well observes, 'when very illegal things were to P. 417.
be done, the common method was, that a letter was
drawn for it to be signed by the king, directing it up-
on some colour of law or ancient practice, and he rea-
dily signed whatever was sent to him.-----

Next day *Henry Muir*, commissary-clerk at *Kirkcud-* *Henry*
bright, was charged before the council for being at *Muir.*
con- *venticles* in *September* or *October* last, and of correspon-
ding with messrs. *Welsh*, *Semple*, *Arnot*, &c. He own-
ed he once heard Mr. *Arnot* at a *field-conventicle*; yet,
by the interest of the bishop of *Galloway*, he was dis-
missed without any farther trouble. We shall hear that
one *James Learmont* was executed for being only pre-
sent at a *field-conventicle*; but he had not a *bishop* to
intercede for him.

It does not appear that the committee met on the *Commis-*
eighth; but, on the ninth, they made another act, or- *oners of*
dering the clerks of the commissioners of supply to sum- *supply*
mon the said commissioners to meet at *Ayr* on the 12th, *summoned.*
both for providing the necessaries for the *garrisons*, and
settling the prices they were to pay for their provisi-
ons; and that, if they fail in their duty in this respect,
the officers and soldiers shall have liberty to take these
necessaries from the next adjacent places, with the
rates to be fixed by the committee, except the lands
of privy-councillors, and those employed in his maje-
sty's service, or such as have taken or shall take the
bond. But the commissioners of supply, having most of *Commit-*
them refused the *bond*, and not chusing to give any ac- *tee for the*
tual concurrence with the imposition of *garrisons* in *rates of*
time of peace, did not meet on the day appointed; *provisi-*
and therefore the committee, on the 12th of *March*,
fixed

1678. fixed the prices on hay, straw, oats, &c. whereupon the officers of the army brought in what they wanted from the adjacent places, and called the heritors of every parish, near their garrison, to meet in order to fix the proportion of each parish for furnishing the garrison with necessaries, all protected persons being free.

Proclamation for taking the bond.

On the 13th the council published their proclamation, ordering the bond to be subscribed by all the heritors in the shires of *Edinburgh, Haddingtown, Linlithgow, Berwick, Peebles and Selkirk*; and next day they gave orders to charge the recusants with lawborrows, as had been done in the west. But though the bond was subscribed in several shires, yet the heritors were generally backward, particularly in *East-Lothian*, where, from among upwards of 1000 heritors, not above 50 or 60 signed it; and by this time conventicles began again to be much frequented.

Decreet.

On the 15th a decret was passed, at the instance of the king's advocate, against *Pat. Thomson in Kinloch, Geo. Fleming in Balberty, Alex. Hamilton of Kinkel* and his servant, — *Henderson, Robert Hamilton* brother to the laird of *Prestoun, John Balfour of Kinloch, Jam. Russel* feuar of *Kettle, James and John Reids* there, *Joh. Balfour* tenant to *Lundy, Alex. Balfour* there, *Joh. Archer* in *Strathmiglo, John Adam* bailie there, and about 20 more, who, they said, had met at the house of *Balfour of Kinloch*, with others, to the number of 60 or 80 armed men, with an intent to have murdered captain *William Carsfairs*, and — *Garret* his servant *, when the captain required them to deliver up — an intercommuned preacher, and to have fired 12 or 14 shot, whereby *Garret* was mortally wounded, and died on the spot.

Remarks.

It is sufficient to observe, that few of those here named were present at the time when that affair happened, particularly *John Archer* and others. There was no preacher among them; neither was *Garret* killed on the spot, as they represented: But it was necessary that things should be aggravated. And indeed nothing was more common than for the letters, proclamations, acts of council, &c. to have their preambles or narratives filled with the grossest lies and misrepresentations. All these persons were outlawed, except two or three mean country people who appeared.

The

The same day a letter from the committee in the west was read in council, desiring that the heritors who refused the *bond* might be stopt from repairing either to the borders or into *Ireland* to avoid being apprehended. Accordingly next day a draught of a proclamation was sent to the committee, discharging all persons to go to *Ireland* without *passes*, and requiring them at the same time to send in lists of all who were charged with *lawborrows*, and ordered the shire of *Dumbarton* to take the *bond* at *Glasgow*, where it seems the committee sat for the rest of their time.

1678.
None to go to Ireland without a pass.

These proceedings were so illegal and subversive of the liberties of the subject, that, about the end of this month, duke *Hamilton*, the earls of *Roxburgh* and *Had-dington*, lieutenant-general *Drummond*, and several other gentlemen of figure in the west and south, thought it necessary to repair to court, in order to lay the state of the nation before his majesty. Nay, even *Athole* and *Perth*, who had been officers in the army that invaded the west, went along with them; for, observing the peaceable carriage of the *presbyterians*, and conversing with noblemen and gentlemen of good sense, they were determined not to be any more active in the severities used against them. The earl of *Cassils* had gone up some time before, and it seems that, by means of the duke of *Monmouth*, he got access to his majesty.

D. Hamilton, &c. go to court.

The managers at *Edinburgh* pretended to ridicule these noblemen, and assured their friends, that, since they had not first laid their grievances before the council, the king would pay no regard to them. However, their going off without asking leave was as surprising as it was unexpected, especially their being joined by the marquis of *Athole* and the earl of *Perth*. The bishop of *Galloway* made a heavy complaint of the conduct of those two noblemen in a letter to the lord register.

Their journey ridiculed.

It is said, that when these two noblemen, with their servants, and other gentlemen, were on the road in *Annandale*, they lost their way, and, it being late, were obliged to put up in a cottage in that country. The people, having some knowledge of their errand, treated them with abundance of civility; and when their lordships, who could not get their horses within doors, expressed their concern lest they should be stolen, having heard that *Annandale* was noted for *horse-stealing*, the country people told them they were in no hazard,

Reformation in Annandale.

1678. for there was no thieving among them now, since the field-preachings came into that country; and talked of many other branches of reformation brought about by means of Mr. *Welsh* and other preachers.

Moray,
&c. sent
up.

As soon as the council got notice of the departure of duke *Hamilton*, on the 26th of *March*, they sent up the earl of *Moray* and the lord *Collington*, in order to vindicate their proceedings, and those of their committee, against what might be objected by the noblemen and others who were gone to court.

Commit-
tee's let-
ter.

The same day a letter from their committee was read in the council, signifying that the bond had been offered in the shire of *Stirling*, and that in the parish of *Campsie*, six miles north of *Glasgow*, some hundreds assembled in arms, and killed one of the soldiers, and desired an order to proceed against the heritors of that parish, for building a dwelling-house and meeting-house to one Mr. *Law*, (after the revolution one of the ministers in *Edinburgh*) adding, that the country about *Glasgow* was much infested with unlicensed chaplains, and desiring that some persons might be made examples of.

Earl of
Cassils's
case.

The earl of *Cassils* gave in his case to his majesty upon the 28th of *March*, containing a particular account of all that has been related concerning his lordship, subscribed with his own hand; but, as soon as it was given to the king, a copy of it was sent down by an express to the council, attested by *J. Forester* secretary to the duke of *Lauderdale*.

Lord
Semple.

Next day Mr. *Robert Wylie*, governor to *Francis* lord *Semple*, a youth then at the university, was summoned to appear before the committee of the council, but he did not; and his pupil withdrawing got a charge of *lawborrowers*. And, on the 1st of *April*, the council had a letter from their committee in the west, signifying that they had summoned before them lord *Semple's* governor and lord *Cochran's* chaplain, for officiating without a license from the bishop, and intended to pro-

The king's
letter of
approbati-
on.

secute those who entertained them. And the same day the council received his majesty's letter approving their conduct, and the proceedings of their committee, and thanking them for their careful prosecution of what he had recommended to them in his letter of the 11th

* p. 373. of *December* last *. However, this did not discourage the patriots, who were gone up to *London*, from laying before

before his majesty the injustice of several things he had approved of, as shall be related in its proper place. 1678.

On the 3d of April the council, taking under their consideration those commissioners of supply who did not assemble for settling the provisions for garrisons, ordered the earls of *Cassils* and *Lowdown*, the lords *Cochran*, *Cathcart*, *Bargeny*, *Sir William Muir* of *Rowallan*, &c. to be called before them; but they did not appear: So this affair came to nothing.

The same day the copy of the earl of *Cassils*'s case was produced in council, and Mr. *Patrick Anderson* was ordered to be sent to the *Bass*, unless he presently gave security, under the penalty of 2000 merks, to leave *Edinburgh* and five miles round it, and converse with none but those of his own family. This was hard treatment for alledged keeping of conventicles at his own house, and corresponding with messrs. *Welsh*, *Williamson*, &c.

Next day they agreed upon a letter to be sent to his majesty, wherein they say, — ‘Whereas the earl represents, that we granted commissions to the marquis of *Athole*, and others, to take free quarters — we humbly conceive that your majesty had just reason to look on his jurisdiction of *Carrick*, and some other western shires, as in a state of rebellion, since field-conventicles are by your laws declared to be rendezvous of rebellion; and that these were so increasing, that there were far more armed men assembled in them almost weekly, than could be repressed by almost thrice the number of your standing forces. — But yet our orders are falsely represented; for we only gave orders to take free quarters as your council and committee should order; and that your council has given orders is denied; — yet, to the end that none should suffer but such as should continue guilty, it was offered by your council, that only such as should refuse to secure the peace should be quartered upon; and accordingly protections were granted to all such as secured the peace. — Whereas it is represented, that a bond was pressed without law, it is humbly asserted, that the bond was only offered, but not pressed. — And as to the legal security by lawborrows, it is expressly warranted by the 129th act, par. 9. *James I.* And universal lawborrows are warranted by act 13. par. 6. *James II.* — Upon which account it is humbly craved, from your majesty’s justice,

Commissioners of supply.

Mr P. Anderson.

Proceedings as to Cassils's case.

1678. *stice*, that the earl of *Cassils*, who hath contemned your proclamation, and charged your privy-council with crimes of so high a nature, may be sent down prisoner, to be tried and judged according to law.'

Remarks. This is but a very short abstract of the letter, which the reader will find at large in *Wodrow*, p. 501, &c. who justly observes, that there was as little rebellion at *field-conventicles* as in *churches*. It was the council who first called them *rendezvous*es of rebellion, and from this inferred that the west-country was in a state of rebellion; how justly, must be left with the reader. Besides, it is absolutely false that there were weekly more armed men at these conventicles than *thrice the number of the king's forces could suppress*. That some had attended these meetings *in arms* is not denied; necessity obliged them to defend themselves against the wicked assaults of the soldiers. They tell his majesty that his council did not *give orders* for free quarters. But what a shift was this, when their committee did it by their authority? And it is false that free quarters were only taken from the refusers of the *bond*, when it is well known that the *Highlanders* came several days before the time of taking the *bond*; and free quarters were allowed on the lands of *Cuninghamehead*, and others, who could not be reckoned *refusers*. In a word, it may make the reader smile to hear them saying the *bond* was *offered*, but not *pressed*. If the sending in of an army, the charging with *lawborrows*, and putting to the horn, was not pressing, then nothing can be called so.

With the above letter the committee sent up to the king an information of their proceedings with the earl of *Cassils*; and about this time the managers thought it necessary to publish a paper, intitled, *A true narrative of the proceedings of his majesty's privy-council in Scotland for securing the peace of that kingdom in the year 1678*. Remarks were made upon this narrative, in a letter to a friend, which abundantly exposed what was asserted therein.

Mr. Ross. On the 6th of *April* the council ordered *Mr. Alexander Ross*, a minister in the north, who had been detained prisoner in the tolbooth of *Edinburgh* for the space of four months, without laying any thing to his charge, to be released, upon giving security to live peaceably. And being informed, on the 10th, that

Lanerk-shire farther dispersed their armed. many in the shire of *Lanerk* had not surrendered their arms,

arms, they ordered their committee to do all they 1678. could to disarm them, who accordingly did their utmost; but many chose rather to run all hazards than to come and deliver their arms upon oath.

On the 13th the committee at *Glasgow*, considering Lord that Mr. *Wylie* and lord *Semple* had both withdrawn, *Semple's* wrote to the earl of *Dundonald*, one of his lordship's *case*. tutors, to do all he could to get him to return to the university; and, on the 16th, lord *Semple's* mother, a professed PAPIST, petitioned the council that they would either recommend the care of her son's education to such persons as shall be answerable to their lordships, or take some proper measures for securing to him his small fortune during his minority, and himself in such principles as were most suitable to his majesty's government, and might engage him in loyalty to the king and his successors. The council upon this enjoined the bishop of *Argyll* and lord *Ross* to appoint some person of sound principles and loyalty to be tutor to the petitioner's son.

On the 19th an express arrived, and the council sat Bond and down at eight in the morning, when a letter was read lawbor- from his majesty, signifying that he had considered the rows sus- representations made by some of his subjects relating pended. to the methods lately taken with the west country, and that he was resolved to hear things more fully, and in the mean time commanded that the *bond* and *lawbor-* rows should be suspended till his farther pleasure; and that all his forces, except his own guards, be immediately disbanded. This surprised the managers, who were expecting the earl of *Cassils* to be sent down prisoner; and therefore they dispatched Sir *George Mac-Kenzie* to *London*, by whom they wrote to the earl of *Moray* and lord *Collingtoun*, signifying their readiness to obey his majesty's commands, and reflecting on those noblemen and others that had gone to court at this time, as if they had done all they could to shake the foundations of authority, to such a degree as it will be past remedy if not speedily and vigorously adverted to by his majesty: And therefore they begged them to concur with the advocate in representing things to the king.

But, on the 22d, Sir *John Cuninghame* went up like-Sir John ways to *London*; and though he and Sir *George Lock-* Cuning- hart, who had gone before him, had neither of them ham went to court. refused

1678. refused the *bond*, yet they were clear to give it as their judgment, that the imposing of it and the lawborrows was contrary to law; and the sentiments of such eminent lawyers could not but have weight.

Forces disbanded. However dissatisfying the king's last orders were, yet the *Blue-coat* and *Nithsdale* regiments, who were got as far as *Lanerk*, were disbanded. Lord *Halton* went to the committee at *Glasgow*, and gave them the first information of this sudden change; but, at the same time, assured them of the king's favour, and that he would approve of their proceedings, though his affairs in *England* made it necessary to disband the forces, and suspend the *bond* for a little while. And, on the 24th, the council wrote to their committee, that, since disorders by numerous *field-conventicles* in *Fife*, *Merse*, *Teviotdale* and *Linlithgow* were come to such a height, and matters of moment were to be deliberated upon on the first of *May*, therefore they desired them, as their business in the west was finished, to come in to *Edinburgh*.

Proposal for raising more forces. What these matters of importance were, which the council were to have before them, I know not; possibly they were to concert upon proper methods for suppressing what they called the increasing of disorders by numerous *field-conventicles*, and for this end to have a standing army, notwithstanding the late orders for disbanding the forces; and no doubt they took care to represent things in their own way to the king.

Field-meeting on the hills of White-kirk. Mean while, on the fifth of *May*, there was a large *field-meeting* on the hills of *Whitekirk* over against the *Bass*. A party of about 40 soldiers, and 20 country people whom they pressed to go along with them, commanded by ensign *Charles Maitland*, being sent by the governor, came upon them. The people resolved to keep together, and not offer any violence unless they were attacked. The party advanced, and commanded them in the king's name to disperse. Some who were near them answered, That, though they *honoured the king*, yet they were resolved to hear the word of God. Upon this a soldier giving a blow to one of the people, an able-bodied countryman knocked him down. Being thus engaged, the people on that side of the meeting quickly surrounded and disarmed the soldiers, and sent them off. No harm was done to any of them, farther than that one was killed on the spot. Two of the meetings were taken that day, and several others afterwards; among

among whom were *James and Geo. Learmonts, William Temple, Rob. Hepburn in East-sentoun, and Will. Bryson* 1678. *younger in Dumbar.* The first of these was executed in September, as shall be related.

Though, on the 10th of *May*, the council recalled the *Proposal* garrison at *Ayr*, yet on the 14th they had a letter from the king, dated the seventh, declaring, That, considering the abounding of *field-conventicles*, these *rendezvous* of rebellion, he thought fit that some more forces should be raised, and that he expected a speedy and exact account of what number and quality of troops would be necessary.—How fluctuating were his majesty's councils! the one day to order the forces to be disbanded, and the next, in a manner, to order a new levy to be made. However, this letter was what the managers wanted. And the same day, in their return, they took notice of the growth of *conventicles*, and that the raising of new forces was the best way to suppress them; and therefore they proposed two troops of horse, each consisting of a hundred men; and, as the support of these necessarily called for money, that a *convention of estates* should be summoned to provide it. But before these things could be brought about several occurrences happened.

Accordingly, on the said 14th of *May*, the council were informed of a conventicle at the house of *William-wood*, where the meeting was dispersed, and upwards of 70 men were taken prisoners by the dragoons who pursued the common people. The ministers happily escaped. About 34 *Glasgow* people, and as many countrymen, were carried prisoners to *Glasgow*, where they were examined by lord *Ross* and others. The bond was offered to them, and the few that complied were released; but the rest, after some days imprisonment, were sent to *Edinburgh* under a strong guard, where we shall leave them till we see what passed between the king and those who in *March* last had gone to court. Many of them, after long attendance, came away.

But at last, on the 25th of *May*, duke *Hamilton*, lord *Duke Cochran*, Sir *John Cochran*, and lieutenant-general *Drummond*, were commanded to attend upon his majesty at four o'clock. When they appeared, the king, being accompanied with the dukes of *York* and *Monmouth*, and the treasurer, first asked why they had come to him contrary to his proclamation? The duke of *Hamilton*, who spoke

1678. spoke first, intreated his majesty to let him know why he had laid him under marks of his displeasure, viz. his being turned out of his council, and, since ever he came to London, not having had the honour of kissing his majesty's hand. The king replied, He would first know the grounds of their complaints before he returned an answer. The duke said, That he had his majesty's encouragement to come, since he told them, when last at court, that, when he was any way wronged, he should come to himself and make it known. Upon this they gave his majesty a particular account of the invasion of the *Highlanders*, their quartering and plunders, &c. the *bond*, the *lawborrows*, their being *denounced*, and forbid by proclamation to lay their condition before the king. To which the king answered, That these were horrid things, and desired they would set them down in paper. The treasurer said, That whatever was in these *free-quarterings*, and in the rest, they might have been prevented by taking the *bond*, which he conceived there was *law* for, there being two alternatives in it, either to deliver their tenants prisoners, or turn them out of their farms. To this it was replied, That there was no obliging masters to apprehend their tenants; the farthest the act of parliament 1670. went, was to oblige masters for their families and servants. 2. That masters could not be obliged to turn tenants out of their lands, in regard the punishment for going to a *conventicle* was by *law* appointed to be a *fine*, which was not so grievous as turning them out of their possessions. Besides, they urged that most of the tenants had *leases*, by virtue of which they had a legal right to their possessions, and could not be turned out for a crime that was only *fineable* by law. This conference held two hours, and much was said by both parties. The king, in the conclusion, told them, That he could not judge of what they had said unless they would give it under their hands, that he might lay it before his council. They answered, That they came to his majesty to inform him of the wrongs and oppressions of the country, and not to *accuse the COUNCIL*, which they knew was dangerous, unless his majesty would *indemnify* them; which the king refusing, they said, They left the matter with him to do in it as he thought proper. In a word, though sometimes the king seemed to be moved, yet, being still under the influence of *Lauderdale*, he gave them no redress. So far from it, that on the

28th of May, three days after this conference, he wrote 1678. to the council, approving of their whole conduct, and recommending to them to take all such legal courses as they should find necessary for preserving the authority of the state, and securing the government of the church as by law established.

The same day John Bowie, Jam. John and Rob. Maxwell, Dav. Corsbie, Will. Niven, Will. Urie, Jam. Lickprey, Jam. Blackwood, Rob. Reid, Dav. Fergusson, Will. Steven, Dav. Gray, Arch. Haddoway, Mungo Cochran, Rob. Hay, and many others, being called before the council to give their oath who preached at the above conventicle at Williamwood, and refusing, were sentenced to be transported to the plantations, and to ly in prison till a ship was got ready.

At the same time a letter was read appointing Lauderdale commissioner, and a proclamation was published for calling a CONVENTION OF ESTATES to meet at Edinburgh on the 26th of June next. In this proclamation the kingdom is represented to be in danger from those EXECRABLE field-conventicles, the rendezvouses of rebellion; and therefore, in order to suppress them, this convention was called to raise and provide for more forces.

These conventicles got a new epithet. They were formerly called *sedition*, and *rendezvouses of rebellion*, but now they are called EXECRABLE. But it was well known that these meetings had much of the divine presence among them; and, as one observes, many were really converted, more were convinced, and generally all who attended them were reformed from their former immoralities. Besides, we have related that the occasion of these meetings was owing to the execrable proceedings of the managers at that time. Neither is it any wonder though some were obliged to attend them in arms, when we consider the sanguinary laws that were made against them, and how they were exposed to the illegal assaults of the soldiers. For a long time they met without any arms, and were frequently disturbed and dispersed. Some were killed, others were wounded, which they patiently endured without resistance. At last several ministers had a price set upon their heads, and many were outlawed; and therefore, finding that they thus were appointed as sheep for the slaughter, they looked upon it as their duty to provide

1678. vide for their necessary defence. We have related how they were debarred all manner of liberty to worship God in publick, and on the severest penalties forbid to assemble either in the churches or in private families. But, being persuaded that it was their duty not to forsake the assembling of themselves together, they therefore took to the fields.

Sixteen
ordered
for trans-
portation.

On the 13th of June, about 16 more, who had been at Williamwood conventicle, were sentenced to be transported. They were given to Ralph Williamson of London to dispose of them, or sell them to the best advantage; and they were to ly in prison till they could be shipped off. On the 20th, George Hume of Kimmergham and Jane Hume lady Ayton, having been imprisoned for a clandestine marriage, (I suppose for being married by a presbyterian minister) were released on paying 1000 merks fine, and 750 merks for pious uses.

Conven-
tion sit
down.

On the 26th the CONVENTION OF ESTATES met according to appointment. Parliaments now could not be ventured upon, lest an inquiry should be made into the state of the nation, and proposals made for redressing grievances. A convention answered the end of raising money, which was the chief thing now in view.

Their act
and offer.

On the 10th of July they passed their act and offer of 1,800,000 l. Scots to be raised in the space of five years, being 360,000 l. Scots yearly. In the preamble to this act they say, among other things, that it is not fit that this kingdom should only, of all others, remain without defence, at a time wherein these dangerous field-conventicles, declared by law rendezvous of rebellion, do still grow in their numbers and insolencies, against all which the present forces cannot in reason be thought a suitable security.

Remarks.

The design of this assessment was to maintain an army for suppressing these conventicles, which were the butt of their malice: And now the bishops had what they wanted; their friends were provided for in the army; the presbyterians were divided among themselves on account of the indulgence, and the imposition of this cess increased their divisions; and the rigorous execution of it, together with the cruel oppressions of this new army, occasioned a rising, which shall be related in the next volume.

Different
opinions.

Some looked upon it as unlawful to pay this cess, and others were of opinion, that, since violence was both

1678.



both expected and used, it was more adviseable, by a piece of money, to preserve themselves and their families alive, and their substance from being taken from them, than, by an absolute refusal, to give an occasion and afford a legal pretence to the cruelty of the collectors to destroy *all*. They added, that paying *cess*, in these circumstances, was not spontaneous, but constrained, and therefore the payers were to be excused, and looked upon as sufferers rather than actors. There were a few others who paid this imposition with a *declaration*, chusing the middle way between paying it without any testimony against what was *evil* in it, and refusing to pay it at all. Among them was *Quintin Dick* of *Dalmellington*. The reasons of his conduct I shall lay before the reader in his own words, as follow : ‘ — After much liberty in pouring out my heart to God, I was brought to weigh, that, as my paying of it might be, by some, interpreted a scandal, and a sinful acquiescence in the magistrate’s sinful command ; so, upon the other hand, my refusing to pay it would be the greater scandal, being found to clash against a known command of God, of giving to all their due ; tribute to whom tribute is due, custom to whom custom ; and knowing that Christ Jesus, for that same very end, to evite offence, did both pay tribute himself, and commanded his followers to do it, I could see no way to refuse payment of that *cess*, unless I had clashed with that command of paying tribute to *Cesar*. So, to evite the scandal of compliance on the one hand, and disobedience to the magistrate, in matter of *custom*, on the other, I came to a determination to give in my *cess* to the collector of the shire of *Ayr*, with a protestation against the magistrate’s sinful qualification of his commands, and a full adherence unto these meetings of God’s people called *conventicles*, which, in the act, he declared his design to bear down. I had no sooner done this, but — it was said, that my protestation was only to evite sufferings, and could be of no weight, being *protestatio contraria facto*. But, being persuaded that it is the magistrate’s right to impose and exact *cess* and custom, I could have no clearness to state my sufferings in opposition to so express a command of God. And as to the magistrate’s sinful qualification, having so openly declared and protested against it, I conceive the censure of this, to evite sufferings, is groundless, seeing that the enemy has sub-

Quintin
Dick’s
sentiments
and prac-
tice.

scribed

1678. scribed with my hand, before witnesses, a resolute adherence to that which they say this leads to overthrow; and, if he mind to persecute upon the ground of owning *conventicles*, he has a fair and full occasion against me under my hand, &c.'

Hind let loose, p. 715, &c. Thus far he. But, to do justice to those who refused to pay this *cess*, I must briefly relate their sentiments on this head. Thus they allowed, 1. That *tribute* and *custom* are to be paid to the persons ordained by God; but the *impositions* of tyrants, enacted and exacted for promoting their wicked designs against RELIGION and LIBERTY, are noways due; and therefore it is not equity to pay them. 2. It is lawful to pay them when due, either by law or contract, even though they should afterwards be abused to pernicious ends; but these payments for such wicked ends, either particularly specified in the very act appointing them, or openly avouched by the exactions, are of another nature from impositions fundamentally appointed for the publick good. 3. It is sometimes lawful to pay them, even when illegally exacted, if afterwards they were, by deduction, or voluntary engagement, legally submitted to by the true representatives; but not so when they were never either lawfully enacted or legally exacted, or voluntarily engaged by the representatives, except such as represent the *enslavement* of the nation, and betrayed the country, religion, liberty, property, and all persons interests, and declaredly imposed to farther the destruction of all. If it be objected, that Christ paid custom lest he should offend, and that the *Jews* wondered at his prudent answer, *Render to Cæsar the things that are Cæsar's, and to God the things that are God's*, it is sufficient to observe, that he taught them, in general, to give nothing to *Cæsar* in prejudice to that which is *God's*; and consequently it must be unlawful to pay a tax that is appointed for suppressing the worship of God, wherever it is performed agreeable to his word. And, to make the case parallel, it is no less than blasphemy to say that Christ would have paid, or permitted his followers to pay a tax, professedly imposed for levying a war against himself, or banishing him and his disciples out of the land, or to fill the mouths of the greedy *pharisees*; or that he would have paid, or suffered to pay, their extortions, if any had been exacted of him, or his disciples, for his preaching

or working miracles ; or if help or hire had been demanded for the encouraging those that ran to stone him for his good deeds. 4. It is lawful to pay a part to preserve the whole, when it is extorted only by force and threatnings, and not exacted by *law* ; when it is yielding only to a lesser suffering, and not consenting to a sin to shift suffering ; for though, no doubt, a man may give a robber a part to save his life, or preserve the rest, yet, if the robber requires not only a part for himself and his underlings, but demands it for this very end, that he may be in case to murder his father, mother, wife, children and friends, whom he has in his power ; the question is, Whether it would be lawful for any person to comply in these circumstances ? But the imposers of this *cess* did not look upon themselves as robbers, but claimed this exaction as a just debt ; and that, for this declared purpose, to enable them to bear down the assemblies of God's faithful people. 5. It is lawful *passively*, by forcible constraint, to submit to the execution of such wicked *sentences* as impose those burdens, if it be not by way of *obedience* to them ; this is *suffering and not sinning*. But it is unlawful to comply with the payment of a *cess*, when imposed with an evident design to overthrow the work of God, and harass and persecute his people. The duty, in that case, is to take *joyfully the spoiling of our goods*, and not to comply with impious demands. 6. It is lawful, of two evils of sufferings, to chuse the least, when they are in our choice ; but this is not the present case. It is true there is this alternative, either to comply and pay the *cess*, or else to be exposed to the rigorous oppressions of the laws then made. If the first could be done without sin, then it doubtless might, to avoid the terrible consequences of the last. But, as an active compliance with the former is sinful, we are to chuse suffering rather than sin. When Christ was tossed at sea with his disciples, had the *Jewish* rulers given peremptory orders to furnish money for paying those whom they were to employ to sink the ship, can it be imagined that any of the lovers of *Jesus* would have complied with their demands ? Now, has not Christ, and all the interest he hath in the nation, been embarked, as it were, in one bottom ? And have not the rulers sent their peremptory orders to pay a *cess* for sinking his floating interest ? Can any who
pro-

1678.

1678. profess to love him comply with this? Can this compliance, especially, be given into by those, who, by solemn covenant, were obliged to maintain and defend it? Thus I have given a brief account of some of those things said in behalf of those who refused this *cess*. The reader will find this point largely discussed in the book quoted in the margin, from which I have taken these hints. I now go on to the subsequent occurrences.

Proceed-
ings of
the coun-
cil.

On the 1st of *August*, *John Millar* in *Kirkaldy*, *David Barclay*, *Robert Marnock*, and seven or eight more, were brought before the council for having been at several *field-conventicles*. They refused to swear against any who were present with them, and so had a sentence of transportation passed against them.

W. Stir-
ling.

They likewise renewed their former act, requiring all concerned in the execution of the laws to take the oath of allegiance and declaration, and appointed their act to be printed and sent to the members of inferior judicatures, town-councils and magistrates. It seems *William Stirling*, bailie-depute of the regality of *Glasgow*, had not exerted himself sufficiently in suppressing conventicles; and therefore, on the 14th of *August*, he was ordered to appear before the council, where he having alledged, that, being newly vested with that office, he was unacquainted with the methods of the court, the lords required him to be more diligent for the future, and so dismissed him. The same day *Sir James Stewart*, late provost of *Edinburgh*, who had, for some time, been prisoner in the castle, was, by reason of his old age and infirmities, set at liberty, upon giving a bond of 10,000 merks to appear when called. At the same time *Thomas Kennedy* of *Grange*, confessing that he had been at a conventicle last year, was fined in 800 merks, which he presently paid, and was discharged.

Sir J.
Stewart.

Next day the council wrote two letters, the one to *Dundonald*, to order *Mr. Wylie* to appear before them on the 11th of *September*, and provide a proper tutor for lord *Semple*; the other to the bailie of *Maybole*, concerning a conventicle near that place, at which several attended in arms; but the matter was dropt. The same day the magistrates of *Ayr* were ordered to apprehend *Mr. John Cunningham*, chamberlain to the laird of *Enterkin*, for harbouring *Mr. John Welsh*.

About

About the end of this month a considerable number, 1678. both of the *indulged* and not *indulged* ministers, met at *Edinburgh*, for composing the differences that had arisen *Meeting* on account of the *indulgence*, which several had been *of mini-* preaching against, and, as some apprehended, carried *sters.* things to an *excess* in their sermons. They had two probationers before them, but to little purpose; a third declined to converse with them, or be subject to their admonitions.

We have related how dissatisfactory the *indulgence* *Remarks.* was to many, and how the acceptance of it offended numbers, because it flowed *entirely* from the *supremacy*. On the seventh of *October* 1671. the reverend Mr. *John Livingston* wrote a letter from *Roterdam* to his parishio- *Mr. Li-* ners of *Ancrum*, in which he condemned those who ac- *ving-* cepted the *indulgence*, without any publick testimony ei- *ston's* ther of their adherence to the oath of *God*, and work of *letter.* reformation, or against the usurpations of the civil magistrate upon the *royal prerogative* of the Lord Jesus Christ; and among other things tells them, ' If any ministers *p. 12.* have had a hand in contriving or procuring that *indulgence*, I suppose they have done *more mischief* to the church of Christ in that land, [*Scotland*] than *all the prelates* and *all their hirelings*.' Besides, the reader will observe, that those worthy persons, who had not freedom to accept of the *indulgence*, were exposed to the rage of the persecutors, and deprived of all their liberties both civil and sacred; and therefore, though they had expressed themselves in their sermons in terms that could not be *altogether* justified, had they not great provocation? And when they are convinced that the *indulgence* was injurious to Christ as *Head of the church*, flowing from and depending upon the magistrate's *supremacy*; that it was inconsistent with *presbyterian* principles; that it invaded the rights of the christian people, not only by depriving many of them of their own ministers, but also obliging them to submit to any the council should send them; that by this *erasianism* was established; Were they to be condemned in preaching against it, nay, and in bearing their testimony against the accepters of it? I doubt not in the least but many who accepted the *indulgence* were worthy and valuable persons; but *humanum est labi*; and it was certainly the duty of ministers to concert measures for bringing about peace and union: But, at the same time, how they were

1678. were to be condemned, who, for the sake of union, could not renounce their principles, must be left with the reader. It is certain excesses of all kinds are to be avoided: But it is not to be wondred at, that, when the infection of apostasy did so universally prevail, some exceeded the bounds of moderation in shewing their zeal against it.

Gentle-
men in
Gallo-
way pro-
secuted.

On the 11th of September, Patrick MacDougal, Mr. James Lawrie of French, Thomas Hay of Park, John Blair of Dunskey, Andrew Agnew of Sheuchan, Alexander Veitch of Glen, William Veitch tenant to Glencranstown, and Adam Russel late bailie of Peebles, were prosecuted for house and field-conventicles. They who appeared were acquitted.

Polwart
sent to
Dum-
barton.

The same day Sir Patrick Hume of Polwart, in consequence of a letter from the king, was ordered to be removed from the tolbooth of Edinburgh to the castle of Dumbarton. This gentleman had been imprisoned in September 1675 *, and was ordered to be released in February 1676 †. If that order was complied with, it would seem he was again committed to prison; for it is plain he was at this time in goal at Edinburgh.

* p. 339.
† p. 344.

Council's
actings a-
gainst
conven-
ticles, &c.

Another letter from his majesty was read in council, at the same time requiring them to raise two Highland companies, each consisting of 150 men, besides officers, for putting a stop to the depredations in the Highlands. Whether this order was complied with, my author did not find from the registers. The suppressing of conventicles took up most of their time; for at the same meeting they ordered the arms and papers of non-conformists to be searched for and seized. And next day soldiers were sent to Cowpar of Fife for executing whatever orders they should receive from the council, or their committee, or the major-general. They also enjoined the magistrates of Kirkaldy to proceed against those that had left their parish-church to frequent conventicles, and thanked the magistrates of Dundee for their care in this respect. They likewise wrote to the marquis of Douglass, desiring him to present John Haddoway, James and William Clelands, in consequence of his bond to produce them when called. They had been before the council 1677. for being at conventicles; but upon his lordship's bond the process against them was delayed. At the same meeting the chancellor produced a letter from the earl of Dundonald, signifying that the

commis-

commissioners of assessment for the shire of *Renfrew* 1678. scrupled the *declaration*, which they conceived related to *burghs*, and not to *shires*; whereupon they ordered that both the *allegiance* and *declaration* should be tendred to them, and a list of the *recusants*, &c. should be sent to the council. And, on the 13th of *September*, both these were re-imposed on the *burghs*. At which time *James Mosman* was fined in 1000 merks, *William Laing* and another in 500 merks a-piece; and six or seven more, all tenants of the laird of *Cavers*, 100 merks each, for hearing *Mr. Welsh* and other ejected ministers; and the council gave them to know, that, unless they paid their respective fines against next *November*, they should be transported. And they actually passed sentence of transportation against *Mr. John Harroway*, for preaching, baptizing and marrying without *episcopal ordination*, and refusing to declare, upon oath, who the *presbyterian* ministers were by whom he was ordained. *Robert Dick*, merchant in *Prestonpans*, was likewise indicted for being at a conventicle, and, refusing to clear himself by oath, he was declared guilty, and ordered to be banished. They likewise ordered the earl of *Linthgow* to bring in several persons prisoners who had lately been at a conventicle near *Renfrew*. The same day they wrote to lord *MacDonald*, ordering him to come before them on the 27th, and give security for the peace of the bounds; but he was in no haste to obey their summons. And on the 16th the bishop of *Glasgow* was admitted a counsellor and a member of the committee for publick affairs.

While the council was thus taken up about *conventicles*, the trial of *James* and *George Learmonts**, *William Temple*, *Robert Hepburn* of *East-fenton*, and *William Bryson* younger in *Dumbar*, came on before the justice court, consisting of lord *Carrington* justice-general, lords *Collingtoun*, *Strathurd*, *Castlehill*, *Forret* and *Newton*. They sat down on the 11th of *September*, and the prisoners were indicted for being at the conventicle over against the *Bass*, and being art and part in the murder of the soldier, &c. In the beginning of the process the advocate passed from *Hepburn* and *Bryson*, in order to pursue them before the council for *field-conventicles*. *Mr. David Thoirs*, advocate for the prisoners, pleaded that their *simple presence*, in a croud of a thousand persons, cannot make them guilty; and offered to

1678. *W* prove that they came *unarmed*; and that others, declared fugitives, and not them, were seen to strike the deceased with swords and halberts, whereas the prisoners retired before the engagement. The king's advocate replied, that *field-conventicles* were *rendezvouses of rebellion*, and the prisoners presence there *in arms* was enough to prove them guilty; which he undertook to make good. The lords, in their interlocutor, declared that presence at *field-conventicles*, and giving council and command, infer guilt, and accordingly referred the same to be proved.

The witnesses were examined; and *James Manderstoun* swore that he saw *Jam. Learmont* at a *field-conventicle* *May* the fifth; that he had *no arms*; but that he heard him say, *Let no cowards be here to day; but let such as have arms go out to the fore-side*; that he saw *William Temple* there *with a sword*. Other two witnesses swore much to the same purpose; but none swore that *Jam. Learmont* had any actual concern in the engagement. In his last speech he tells us, That the jury, at first, declared he was not guilty of the blood that was shed. Their verdict was, 'That they found *William Temple* guilty of 'being at the *conventicle* libelled, near the place where 'the man was killed, with a sword under his arm, but 'not drawn; as also, that *James Learmont* was not 'only guilty of presence, but of words, conform to the 'deposition of witnesses.'

Condemned. When this was given in the advocate declared that they deserted the diet against *Geo. Learmont*. Several others who were at the said *conventicle*, as *Sheriff, Cowan, Dawson, Brock, Miller* and *Bull*, were called, and not appearing were declared fugitives, and outlawed. Next day, *September 13th*, the following sentence was pronounced, *viz.* That *James Learmont* be taken to the *Grass-market* of *Edinburgh*, on *Friday* the *27th* instant, and there have his head severed from his body, &c. No sentence was this day pronounced against *Will. Temple*; and though, according to their own law, he was certainly more guilty than *Jam. Learmont*, yet a sentence of transportation was all that was passed against him.

Executed. This good man, *James Learmont*, was executed on the *27th* according to his sentence. In his last speech, which is recorded in *Naphtali*, he bore an honourable testimony to the *covenants* and *work of reformation*, against *popery, prelacy, &c.* prayed that God would give repentance

repentance to those who were accessory to his death, 1678. exhorted all people to shew loyalty to the king and all lawful magistrates, and all their just and lawful commands, in so far as they agreed with the word of God; and concluded his long speech with these words, 2 Tim. iv. 7, 8. *I have fought a good fight, &c. Surely I come quickly. Amen. Even so come LORD JESUS.*

On the 9th of *October* a letter from the king was read *More* in council, signifying that he had granted commissions *forces* to raise a regiment of foot consisting of eight companies, *raised.* and three troops of horse of sixty men each, besides officers, for securing the kingdom from foreign invasions and intestine commotions, and requiring all the officers of the former and new levied forces to repair to their respective posts upon pain of his displeasure. Upon this they council appointed the earls of *Moray, Wigtoun* and *Linlithgow*, the bishop of *Galloway*, (for he must be employed for the CHURCH in *military* affairs) the lords *Elphinstoun, Ross* and *Collington*, and Mr. *Maitland*, or any three of them, to meet the 22d instant, and deliver commissions to the officers named by his majesty, and to order them to rendezvous on the links of *Leith* the last *Thursday* of *November*.

The same day Mr. *James Hamilton*, the indulged minister at *Evandale*, was rebuked before the council for preaching in a vacancy, and so breaking his *confinement*; but, that being his first fault, he was dismissed without any farther censure. And, at the same sederunt, *Alex. Alexander Buchanan* in *Bucklyvie*, *And. Buchanan* in *Shirgartoun*, and about seven others, were banished for *conventicles*, and *&c. banished.* ordered to be kept prisoners till they should be transported.

Next day the council appointed garrisons in several *Garrisons.* places of the *Highlands*, for preserving the peace there, and permitted dame *Margaret Ker* to wait upon the laird of *Polwart*, a prisoner in *Dumbartoun-castle*, till the first of *November* next.

In *November* a process commenced against some of the indulged ministers in the shire of *Renfrew*, as Mr. *Pat. Simpson* and Mr. *Jam. Wallace*, for breaking their confinement; of which more next year. And, on the seventh, *Tho. and Will. Govans, Alex. Anderson, Rob. Pontoun, James Wilson, Joh. Jervie, Jam. Brown, Nich. Clidsdale, Dav. Kid, and Joh. Arnot*, having confessed their being present at *conventicles*, and refusing to declare

1678. clare upon oath who preached, or who else were present, were banished to the plantations. Mr. *Joh. Govan* denying that he was at the conventicles charged against him, and only had conversed with Mr. *Forester* his brother-in-law, was ordered to ly in prison till his case should be farther considered. He was however set at liberty on the 11th of *November*. At the same time the council wrote to the lord *MacDonald*, commanding him to appear before them on the 28th instant. But that popish lord had a friend at court, and so paid but little regard to the charge.

Mr. Peden banished.

On the 14th Mr. *A. Peden* petitioned the council to be released from *Edinburgh* jail, and permitted to repair to *Ireland*, especially as he had not been charged with *house* or *field-conventicles* for these twelve years past; but, instead of granting his petition, they ordered him to be transported to *Virginia*. After this sentence was passed, it was reported that Mr. *Peden* several times said, That that ship was not yet built that should carry him or the other prisoners to any of the *English* plantations in *America*.

The same day a letter came from the king concerning raising and modelling 5000 foot and 500 horse out of the militia; and the council sent up instructions relating to this for his majesty's approbation. Next day, *November* the 15th, they issued a proclamation for observing a publick fast on the 18th of *December* next, on account of the POPISH PLOT discovered in *England*.

Popish plot.

Tindal's note on Rapin.

The chief promoters and authors of this were, pope INNOCENT XI. cardinal *Howard*, *Johannes Paulus de Oliva* general of the *Jesuits* at *Rome*, *Pedro Jeronymo de Corduba* provincial of the *Jesuits* in *New-Castile*, *La Chaise* confessor to LEWIS XIV. the provincial of the *Jesuits* in *England*, the *Benedictine* monks at the *Savoy*, the *Jesuits* and seminary priests in *England*, who were then in number about 1800, the lords *Petre*, *Powis*, *Bellasis*, *Arundel* of *Wardour*, *Stafford*, and several persons of quality. The design was to murder the king, subvert the constitution, introduce *popery*, and extirpate the *protestant* religion. When the king was taken off, the duke of *York* was to receive the crown as a gift from the pope, and hold it in fee. If any disturbance happened, the city of *London* was to be set on fire, and the infamy of the whole was to be laid upon the *presbyterians* and *fanaticks*, in order to excite the church

church to cut them to pieces, the better to make way 1678. for the easier subversion of the whole protestant religion. This plot was discovered, and several were executed for being concerned in it: And though it was discredited by many, yet it is plain the managers in Scotland believed it; and therefore, as I have observed, appointed a solemn fast to be observed. As to the particulars of this wicked conspiracy, I must refer the reader to the *English* historians, and go on to observe, That, on the 18th of November, Sir George MacKenzie was made justice-general, and Craigie justice-clerk. And, on the 21st, Thomas Wauch Merchant in Hawick, William Turnbull, and Margaret Barclay, were sentenced to be banished for house and field-conventicles, because they refused to swear as to the circumstances of them.

The *papish* plot, above mentioned, had filled the nation with consternation; and therefore, on the 28th, the council ordered the archbishop of Glasgow, the earls of Moray and Linlithgow, the bishop of Galloway, lord Halton, Mr. Maitland, and Haddo, or any two of them, to inspect the papers lately seized by the earl of Moray, and appointed the committee of publick affairs to meet next day, and consider the affair of the *papists*. But is plain they could make no discoveries: For, on the 30th, they wrote to the king, in which they congratulate his majesty upon the discovery of the plot, and assured him, that, after the strictest search, they could not find that any in this kingdom had been concerned in that execrable and impious conspiracy, and promised that they would not fail to make a farther inquiry. They wrote at the same time to Lauderdale much to the same purpose. And, December the 12th, ordered the magistrates of Edinburgh to search through Edinburgh, Leith, and Cannongate, next sabbath and the following, for houses where *papists* assembled and said mass, and to apprehend the priests, and all they should find at these meetings, and imprison them. They likewise wrote to the steward of Annandale to order a meeting-house that had been lately erected near Castlemilk to be burnt and destroyed, and to send the names of those by whom it was ordered to be built. So much for the proceedings against the *papists*. But what were these in comparison of the methods of rigour, oppression and tyranny taken with protestant non-conformists, whom they hunted like

1678. like *partridges* on the mountains, fined, confined, imprisoned and banished? For, on this very 12th of December, the council gave a warrant to the earl of Linlithgow to send a party to receive the following persons, who had received sentence of transportation for house and field-conventicles, and to deliver them to Edward Johnston master of the *St. Michael of Scarborough*, then lying at *Leith*, viz. James, John and Robert Maxwells, William Urie, James Lickprevick and Robert Reid, all in Cathcart; William Niven in Eastwood; James Blackwood and David Corsbie in Carmonnock; Archibald Haddoway, John Bowie, William Hay, Mungo Cochran, John Anderson servant, John Cumming, Arthur Dougal, William Rae, Gabriel Thomson merchant, and William Steven, all in Glasgow; David Fergusson and Edward Gray in Bridgeend; Mr. Robert Meikle chaplain to Sir James Stuart, Stephen Porteous taylor in Canongate; John Clerk Writer, Patrick Somerwel and William Hackston in Edinburgh; Adam Stobie of Luscar, James Mosman of Mount, William Laing, John Cavers, Mr. John Harroway, Robert Dykes, John and William Newmans, James Miller in Kirkaldy; George Alexander in Newburgh; David Barclay in Cowquhalty; Gilbert Marnock chapman, Thomas Mowbray, Alexander Stuart, James Law and John Fairbairn, all in Kirklistoun; William Angus in Abercorn; James Brown, Robert Punton in Dalmenie; Richard Clidsdale, Mr. Adam Abercorn chaplain to lady Cavers; William Turnbull brother to Beulie; — Cuninghame cook to the earl of Strathmore; William Temple in Lintoun, Mr. Alexander Peden minister, James Pryde, Robert Reid wright in Langside; Thomas and William Govans, and Alexander Anderson, servants; John Graham, Alexander and John Buchanans, Andrew Brown, Walter MacGechan, John Urie, Daniel MacDonald, David Kid, John Arnot, John Jervie in Falkirk, and John Rae. Sixty-seven in all.

Set at liberty at London. They were delivered to Johnston for the benefit of Williamson*, who was to carry them to Virginia. Mr. Peden was of great service to his fellow-sufferers, and frequently assured them of deliverance. Though they had a tedious passage between Leith and Gravesend, yet when they came thither Mr. Williamson was not there; wherefore Mr. Johnston, who had the charge of their main-
main.

The banished sent away.

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maintenance, after waiting some small time for *William-son*, set them on shore to shift for themselves. They received great kindness from the country, when they knew the cause of their sufferings; and they generally got home to their own country. Mr. *Peden* returned to *Scotland* about the month of *June* next year. 1678.

Alexander Anderson, one of these exiles, who was not sixteen years of age, in a paper he left behind him, dated *December* the 10th, takes notice, 'That he is the youngest prisoner in *Scotland*, and that the Lord had opened his eyes, and revealed his Son in his heart since he came under the cross; that, though he had much difficulty to part with his friends and relations, yet he had now found that fellowship with Christ did much more than balance the want of the company of his dearest relations. He declared his adherence to the work of reformation from popery and prelacy, to the national and solemn league and covenants, and witnessed against pulling down the government of Christ's house, and setting up lordly prelacy, and joining with them. He regretted the indulgence, as what upon both sides had been matter of stumbling and offence among good people; and declared his fears that a black and dismal day was coming upon *Scotland*; that it is good to seek the Lord, and draw near to him, &c.'

Alexander Anderson's testimony.

On the 19th of *December* *James Daes* of *Coldingknows* was obliged to beg pardon on his knees, for speaking some words against the management of affairs at that time. The same day they had a letter from the king, thanking them for their care in modelling the militia, and for the distribution they made of the 5000 foot and 500 horse in the different shires thro' the kingdom; for by this means the militia, from which the said foot and horse were taken, effectually answered all the ends of a large standing army, and was a promising method to bear down and ruin the presbyterians. Every one of them for himself, as well as every one of the regular forces, was appointed to take the following oath: viz. 'I *A. B.* do swear to

Military oath.

'be true and faithful to my sovereign lord king *CHARLES*, and his lawful successors, and, in my station, to maintain the present government in church and state, as it is now established by law, and to oppose, to my power, the damnable principle of taking up arms against the king, or those commisionate
' by

1678. ' by him, upon any pretext whatsoever; and to be obedient in all things to his majesty's major-general or commander in chief, authorised by his majesty for the time being, and will behave myself obediently to my superior officers in all that they shall command me for his majesty's service. And I do farther swear, that I will be a true, faithful and obedient soldier, every way performing my best endeavours for his majesty's service, obeying all orders, and submitting to all such rules and articles of war as are or shall be established by his majesty. So help me God.'

Henry
Hall of
Haugh-
head.

To the transactions of this year I shall add a few things of which I have not the particular dates. Some time of it, when colonel *Struthers* was pursuing all *Scotsmen* in the northern counties of England, *Henry Hall* of *Haughhead* was engaged in a skirmish near *Crockom*, a village on the *English* border, where that gallant and religious gentleman *Thomas Ker* of *Hayhope* was killed. Mr. *Hall* after this came down to *Scotland*, where we shall meet with him next year. He had a religious education, and opposed the *publick resolutions*. After the *restoration* he was a great enemy to *prelacy*, and suffered many hardships; so that he was obliged to leave his estate, and retire into the north of *England* in 1665. In the year 1666. he was taken when coming from *Pentland*, and, with some others, imprisoned in *Cesford-castle*; but was released by the favour of the earl of *Roxburgh* who was his relation. Then he again retired to *Northumberland*, where he was very useful.

Graham
of Claver-
house.

James Graham of *Claverhouse*, who will make a dismal figure in the next volume, came this year with a numerous party of soldiers, took free quarters for several days in the house of one *Gilbert MacMeihen* in *New-Glenluce* parish; and when they went off, though they had consumed ten times the value of the *cess*, they carried with them 3 horses worth 10 *L. sterling*. *John Arrol*, who commanded this party, was killed next year at *Drumclog*, and had his bowels trode out by a horse.

At another time this year an officer came with a company of wild *Highlanders*, and fired upon a number of people assembled for the worship of God at the hill of *Cohenachar* in *Perthshire*. By a kind providence one

An

Andrew Breddy was the only person who was killed. 1678. He left behind him a wife and four children.

We have had frequent occasion to mention the reverend Mr. *Blackadder* *, who, before the restoration, was minister at *Traquair* near *Dumfries*. When the rest of his brethren were ejected a party of the guards came to seize him, but he was out of the way. His wife and children, to whom the soldiers were very rude, were forced to retire to *Barndennoch* in the parish of *Glencairn*. In the year 1665. being with his wife at *Edinburgh*, a party of Sir *James Turner*'s men came at midnight, turned their children out of their beds, and obliged one of them, in his shirt, to hold the candle till they searched the house, and went through Mr. *Blackadder*'s books and papers, and took away what they pleased. The manner in which they threatned the poor children is so shocking, that I forbear to mention it. After this he was forced to leave that house and scatter his family. Mr. *Blackadder* was one of those who preached in the fields, was against the indulgence, and continued in that practice till this year, when he went over to *Holland*, and was very useful in healing the breaches between Mr. *MacWard* and Mr. *Fleming*. We shall hear more of him next year.

It will now be proper to give some account of the sufferings of the reverend Mr. *James Webster*, who after the revolution was minister in *Edinburgh*, and died 1720. This worthy person studied in the university of *St. Andrews*. About three or four days before the class was to receive their degrees, an order came from the archbishop to remove him from the class, because he had not regularly attended upon ordinances, neither durst his master give him a testimonial that he had studied under his inspection for four years, because he would not engage to attend upon ordinances as dispensed by episcopal ministers. He was this year apprehended in the town of *Dundee* on the Lord's day after noon, when at a private meeting for prayer, conference, and reading the scriptures. Next day the magistrates informed the council that they had seized a conventicle, with Mr. *Webster* the preacher. The persons taken with him were fined by order of the council; and he was kept 18 months prisoner. With difficulty he was released upon urging the indemnity 1679. for he was as yet no preacher. About the year 1685 or 1686.

H h h

when

Mr.
Blackad-
der.
p. 183,
270, 276

Mr.
Web-
ster's suf-
ferings.

1678. when he was living peaceably in the house of *Grier of Discanth*, a party of lord *William Douglass's* troop came on a sabbath-morning, and carried him to *Dumfries*. He was examined on the ordinary questions, and was put into the *theives-hole*, along with *John Clerk* a farmer, and *John Haldane* a weaver, who had for their companions three men who were in hold for robbery, murder and bestiality. Mr. *Webster* and his two friends were kept in this nasty place about three weeks, and after that removed to the *Pledge-house*, the usual prison for debtors, and was confined there four weeks, and then released by lieutenant-general *Drummond*. The gentleman in whose house he was apprehended was likewise kept prisoner for some time. Soon after this Mr. *Webster* was a third time taken prisoner when walking the streets of *Edinburgh*, but the viscount of *Strathallan* quickly let him go.

Mr. Al. I shall conclude this chapter by just mentioning the *Wilsons's sufferings*. of the reverend Mr. *Alexander Wilson* minister at *Cameron*, in the presbytery of *St. Andrews*, from which he was ejected with others. About the beginning of *November* this year an order was procured by *Sharp* from the council, requiring the magistrates of *Cowpar* to banish Mr. *Wilson* and his family from that town in forty eight hours after they received the orders. The intimation of this came to their hands on *Saturday*, when at the preparation sermon before the sacrament to be dispensed by the *episcopal* minister next day, so that they had patience till *Monday*, when the magistrates came to Mr. *Wilson*, and intimated the orders to his wife, for he had thought proper to withdraw. They commanded her to leave the town in 24 hours. There was no withstanding. Six small children, with one of them sick, could procure no favour. She therefore removed to a neighbour's house that very night, and next day the doors of her own house were secured; so that with the utmost difficulty she could get as much of her own furniture as could serve her necessity; and, had it not been for the lady *Preston-hall*, Mr. *Wilson* must have had no shelter. However, he survived his troubles, and returned to his flock at *Cameron* after the *revolution*.

C H A P.

Of the prosecutions for conventicles, and other branches of non-conformity, together with the violent death of the archbishop of St. Andrews, till the rising at Bothwel.

ON the 2d of January 1679. the council wrote to the Masters archbishop of St. Andrews, and the bishops of Edinburgh and Aberdeen, enjoining them to call the masters of the universities, and other school-masters, before them, and oblige them to take the oaths appointed by law, and to deprive the recusants; for they were resolved that none should be intrusted with the education of youth but those of their own principles. We shall afterwards hear what was the effect of this.

On the 4th, Mr. T. Warner, who had been indulged to the parish of Balmaclellan, was summoned before the council for not keeping his confinement, conversing with intercommuned persons, and preaching at conventicles, and not appearing was outlawed. However, he survived this tragical period, and continued at Balmaclellan till the day of his death, 1716.

On the 9th Mrs. Margaret Barclay, niece of Sir David Barclay of Collernie, who had for some time been in prison at Edinburgh for being at private meetings, was set at liberty for the recovery of her health, upon giving security for 500 merks to return to jail by the 20th, if called, or when called, and mean while to confine herself to her room under the same penalty.

After many consultations held about the end of the last year, for suppressing the presbyterians, regulating the forces, collecting the cess, and other things of the like nature, at last, on the 9th of January, the committee of the council for publick affairs agreed to send the following overtures to his majesty for his approbation. 1. That the council appoint sheriff-deputes, and other officers, to put the laws in execution, only against such as withdraw from publick ordinances, keep conventicles, are guilty of disorderly baptisms and marriages, harbour or converse with fugitive and intercommuned persons or vagrant preachers, and may renew the commissions given to noblemen, &c. in August 1677. * and give them such other instructions as they shall think proper. 2. That the soldiers have orders to disperse conventicles by force of arms, and be indemnified for killing or wounding, in case

Mrs. Barclay.

Overtures for suppressing schism, &c.

p. 365.

1679. *m* case any of these meetings make resistance when commanded to dismiss in the king's name. 3. That the soldiers have power to seize and imprison the preacher, and as many others as they can conveniently carry with them, until they find bail to answer for their crimes, &c. And, *says the overture*, 'in regard the multitudes, who frequent these *rendezvous* of rebellion, are such as they cannot all be seized, nor probation easily led against them, the soldiers be impowered to take from the rest of the persons found thereat (whom they cannot conveniently carry to prison) their upper garments, that the same may be a means of conviction, and an evidence against them; and that the soldiers be impowered to take all the arms that any persons shall be found to have at these *seditions* meetings, and the horses of any that shall have arms.' 4. That none be allowed to enter into the second class in colleges, nor received apprentices, till they oblige themselves to keep the church. 5. That his majesty would be pleased to order the council to see, that act 5. sess. 2. and act 2. sess. 3. of his first parl. * appointing magistrates and council of burghs, and others in publick trust, to take the *declaration*, and all the acts concerning pedagogues, chaplains and schoolmasters, discharging them to officiate without licence from their respective ordinaries, and the acts and proclamations of council published thereupon, be put in due execution. 6. That the king would order the lords of the treasury to pay 500 *L. sterling*, to any who should apprehend Mr. *John Welsh*; 3000 merks for apprehending of any of their preachers who are declared traitors; 2000 merks for each of those preachers who are declared fugitives or are intercommuned, and 900 merks for every other field-preacher. And, 7. that the council proceed against all the *indulged* ministers who do not observe their orders; and that, upon the decease of any of them, the vacancy be supplied by the *orthodox* ministers.

These overtures for suppressing schism, &c. were all approved of by the council, and sent to his majesty, who ordered the council to put them in execution, which they did accordingly. — Whence we may see the spirit of the then prevailing party, and that the execution of these things could not fail of exasperating people to the highest degree. Such powers given to the *military* were not only unprecedented, but entirely subversive of the liberties of the subject,

While

* P. 125,
251.

While these things were in agitation, the council, on the 16th of January, wrote to *Lauderdale*, desiring him to interpose with the king to allow one of his frigates to transport those under sentence of banishment to the plantations. Mr. *Peden* and others, who had been sent off last year, having been set at liberty, as has been related, the granting this would for the future prevent the like: Whether this was complied with I know not; however, it is easy to see with what rigour they were willing to proceed against those whom they called disorderly persons.

1679.

Letters for a frigate.

On the 19th Mr. *William Veitch* (after the revolution minister at *Dumfries*) returning in the night-time to his own house to see his sick child, was apprehended by major *Oglethorp*, carried to *Morpeth* jail, and notice sent to the court. He had been obliged to retire into the north of *England*, where he preached with great success, and met with many remarkable escapes since the year 1671.

Mr. Veitch apprehended.

On the 23d, *James Lawson*, a boy of 14 years of age, who had been imprisoned for being at conventicles (for under this administration no age was thought too young to be attacked) was, after some weeks confinement, set at liberty, the councillors being justly ashamed of such severity to a child.

J. Lawson a boy.

The same day the council published a large proclamation against papists, but, like all others of this nature, no care was taken by the bishops or judges to prosecute them; only *G. Young*, a popish priest, was, by order of the council, this day sent to the *Bass*. At the same sederunt the bishop of *Galloway* obtained the king's dispensation for non-residence.

Proclamation against papists.

On the 31st the king's letter of the 25th was read in council, ordering them to receive upon the borders Mr. *Veitch*, then prisoner at *Morpeth*, and confine him to the tolbooth of *Edinburgh*, and proceed against him with the utmost severity of law. He was accordingly brought in prisoner to *Edinburgh*.

Mr. Veitch.

When such oppressive measures were taken, it was pity that any thing should have happened to divide presbyterians among themselves; but the indulgence being accepted by some, and refused by others as inconsistent with their principles, they who had not complied therewith looked upon it as their duty to bear testimony against it; and several at this time began, more than

Separation from the indulged.

1679. than was formerly done, to preach up separation from the *indulged*. And indeed no attempts were able to reconcile many of these people to those who had given into such a course of defection, as they justly looked upon the *indulgence* to be. Nay, considerable numbers broke off from the *indulged*; and however some may condemn their conduct, yet they, no doubt, acted consistent with their principles. Nevertheless some vacant parishes privately called *presbyterian* ministers to settle among them, as Mr. *Matth. Crawford* to *Eastwood*, and Mr. *Neil Gillies* to *Greenock*.

School-
masters,
&c. turn-
ed out.

On the 6th of *February* the council ordered the magistrates of *Edinburgh*, and other patrons, to turn the following persons out of their charges, unless they take the oaths on or before the first of *March* next, viz. messrs. *Alex. Dickson*, professor of *Hebrew* in the college of *Edinburgh*, *Alex. Herriot* master of the high-school of *Edinburgh*, *Geo. Sinclair* school-master in *South-Leith*, *Geo. Allan* his assistant, *Alex. Strang* school-master in the *Canongate*, *John Govan* his assistant, with *Jam. Scot junior*, the bishop of *Edinburgh* having given information that those persons had not *conformed*: Notwithstanding several, if not all of these, chose rather to undergo a course of suffering than comply. The same day Sir *Patrick Home* of *Polwart* was sent from *Dumbarton* to *Stirling* castle, and out of their great goodness they allowed his lady to be in the room with him.

Procla-
mation a-
gainst
Mr.
Wellsh,
&c.

The same day a proclamation was issued, offering the rewards specified in the sixth of the foregoing overtures. How strange was it, that they, who called themselves protestant bishops, should thus persecute and harrafs the greatest enemies to *popery* in the nation, while, in the mean time, several *popish* priests and *Jesuites* were now sent down from *England*!

New
powers to
the forces.

To execute these, and other laws of the same nature, the new levied forces were ordered west at the particular desire of the *prelates*, some of them to ly at *Glasgow*, in order to prevent the preaching of the gospel in private houses, or the adjacent fields; and, on the 13th of *February*, the army was dispersed through the southern and western shires, in the best manner they could, for suppressing *field-assemblies*. And the council, the better to accomplish their wicked designs, ordered the officers and soldiers, whenever they saw any number of people together in the fields, to apprehend them until

until they gave *bond*, and obliged themselves, under certain penalties, to live *orderly*, keep their parish churches, and not go afterwards to conventicles, &c. The same day the council ordered the committee for publick affairs to nominate a few of their number to be a secret committee, with power to order whom they pleased to be apprehended. 1679.

Two days after this, Mr. *Patrick Simpson*, the indulged minister at *Kilmacolm*, was ordered to be denounced *Simpson* for not answering to his summons; but it would seem he gave a necessary excuse, for he continued in the peaceable exercise of his ministry at that place several years thereafter.

On the 18th the magistrates of *Glasgow* were ordered by the council to turn Mrs. *Blackwel* out of her house, and take possession of it. Her husband, Mr. *T. Blackwel*, had been declared fugitive. The same day Mr. *John Wallace*, the indulged minister at *Largs*, was called before the council; though no proof could be brought against him, yet, because he was not free to answer one of their ensnaring questions, they declared his *indulgence* void. At the same time the parishioners of *Balmaclellan* were discharged from paying any more stipend to Mr. *Warner* till farther orders. The same day *Gordon of Earlstoun*, *Gordon of Holm*, *Gordon of Overbar*, *Neilson of Corsack*, *MacCartney of Blaiket*, *Maxwel of Hills*, *Hay of Park*, *MacDougal of Freuch*, *MacDougal of Corrochtree*, *James Johnstoun* late provost of *Stranrawer*, *William Spittle at Port*, — *Johnstoun* collector there, Mr. *William Cathcart* and *John Inglis* commissary of *Kirkcudbright*, being summoned to answer for *conventicles* and harbouring intercommuned persons, and not appearing were all ordered to be declared rebels, and outlawed. Other sufferers for conventicles, &c.

Two days after *William Page* was fined in 1000 l. *Some first Scots*, *John Arnot* in *Greentide* in 500 merks, and *Geo. ed. Marshal* in *Balvaird* in 100 l. *Scots*, for being at *field-conventicles*, and they were ordered to ly in prison till they paid their fines.

On the 22d Mr. *Veitch* was before the committee for publick affairs. *Sharp* presided, and put many ensnaring questions to him, in which he was seconded by the bishop of *Edinburgh*; such as, Have you taken the COVENANT? He replied, *This honourable board may perceive that I was not of age to take the COVENANT when you* *Mr. Veitch examined.*

1679. *you and other ministers of Scotland tendered it.* In short, he signed his examination; and though there was nothing found to militate against him, yet they gave it as their opinion that he should be sent to the *Bass* till the king's pleasure be known, because he was forfeited for what they called the *rebellion* in 1666. and when the council sat, on the 25th, they approved of the judgment of their committee.

John Inglis.

On the 25th of *February* John Inglis was turned out from being commissary of *Kirkcudbright*, but was afterwards remitted to the bishop of *Galloway*, to be reponed as he saw cause.

Pat. Glas.

The army being to march being at this time, the council ordered them to be furnished with ammunition; and the same day appointed some, who attended the session-house as agents, who were suspected to correspond with the *outlawed* ministers, and others, to be called before their committee, and give security for their good behaviour for the future, or take the oath of *allegiance*, or else be banished the town of *Edinburgh*. They likewise ordered Pat. Glas, who had been prisoner these four years past, to be set at liberty on his paying 200 L. of the fine imposed upon him; and that the town-major have 58 L. *sterling* for taking Mr. *Mesman*, whom they called a vagrant preacher.

On the 27th they ordered a letter of thanks to be wrote to the earl of *Seaforth*, for his diligence in suppressing *conventicles* in the most northern parts.

Mr. James Dalrymple, &c.

The same day Mr. Sam. Nairn, brother to the laird of *Sanford*, Mr. Jam. Rymer in *Pitlochie*, Jam. Thompson, — Miller, Will. Beltie, Tho. Nejs, Jam. Nejs, Joh. Wisheart, and Dav. Heady, were summoned before the council for conventicles, and not appearing were denounced and put to the horn. The same day Mr. James Dalrymple, who had been ordained by presbyterian ministers was informed against for preaching in the fields and in private houses in *Edinburgh*, particularly in the house of one *James Fea*. This *James Fea* and other of the hearers were fined in 100 merks each, and the process continued against Mr. Dalrymple.

In order to prosecute the *overtures* before mentioned, the council, on the 27th of *February*, agreed upon a list of commissioners to execute the laws against the *protestant* non-conformists, gave them instructions to use the utmost rigour, and named deputies in the several shires,

shires, each clothed with the power of a justice of 1679. peace, who had an army to assist and support them. The curious reader may see the lists and their instructions at large in *Wodrow*, vol. 2. p. 14. being too long to be inserted here.

About the beginning of *March* the forces were settled in the particular places assigned them, with orders to pursue and search for those who frequented *field-meetings*, to kill all who resisted them, to imprison and deliver to magistrates, or send in to the council, all whom they apprehended. A party of these *military reformers* seized about 23 countrymen in the parish of *Evandale*, several of whom were *poor shepherds*, and made them swear, whether they saw any armed men going up and down for a month past. It would be endless to mention all their outrages, how they destroyed the corn with their horses, threw what they could not use into the rivers in some places, and burn it in others; so that the laws then in being were wholly subversive of the liberties and properties of the subject. These were the fruits of *prelacy* in *Scotland*!

Lord *Ross* and other officers of the army made a strict search, through the west and south, for intercommuned ministers, field-preachers, and others, so that many narrowly escaped, and were put to no small difficulties, in wandering from place to place to conceal themselves from their cruel enemies. However, at this search, there were only two taken, viz. Mr. *Archibald MacLean*, a worthy old minister, who was so infirm that he could not get out of the way, and Mr. *William Kyle*, who after the revolution was a minister in *Galloway*. They left off searching, for a few days, in hopes of surprising the *non-conformists*. Accordingly, all of a sudden, the search was renewed, and Mr. *John Law* * was taken in a house belonging to the laird of *Kincaid*. And such was the cruelty of these men, that, though he offered all manner of security to surrender at pleasure, his wife being at the point of death, yet they were deaf to all he could say, hurried him to *Edinburgh*, and from thence to the *Bass*, and, while on the road thither, he was never suffered to be alone, to commend either himself or his dying spouse to God. About this time there was a strict search made in *Edinburgh*, where Mr. *Geo. Barclay* (after the revolution minister at *Uphall*) was apprehended and put into the guard-house.

Searches for intercommuned persons, &c.

1679. house. However, he got out of a window, and made his escape, but afterwards endured many trials and preservations, sometimes in foreign countries, sometimes in the north of *England*, and sometimes in *Scotland*. Mr. *Robert Ross* and Mr. *James MacAulay* were taken at *Leith* and sent to the *Bass*.

Lady
Ferm.

While these things were transacting, dame *Margaret Stuart*, and her husband Sir *William Fleming* of *Ferm*, were brought before the council on the fourth of *March*. This lady was accused of being at several conventicles, and owning the charge Sir *William* was fined in 4000 merks.

English
affairs.
Burnet.

But, as the *English* parliament sat down *March* 6th, I must take a view of some things on the south of the *Tweed*. The king had dissolved his last parliament in hopes to obtain a more pliable house of commons; but the elections were carried with great heat, and went every where almost against the court; for the people being discontented, and full of suspicions and fears, chose representatives the most averse to *popery* and arbitrary government. The king, to suppress these suspicions, affected an extraordinary severity against the *papists*; but this was too frequent an artifice to be capable of persuading the people that his majesty was truly zealous for the *protestant* religion.

Rapin.

The duke
of York
sent
abroad.
Burnet,
P. 452.

When the time for the meeting of parliament drew near, his majesty, perceiving a storm gathering against the duke of *York*, by the advice of the earl of *Danby*, thought proper to send him abroad. 'Before he went away the king gave him all possible satisfaction with relation to the duke of *Monmouth*, who was then become very popular, several giving it out that he was the king's lawful son: But his majesty made a solemn declaration in council, and both signed it, and took his oath on it, that he was never married nor contracted to that duke's mother, nor to any other woman except to his present queen. The duke of *York* went first to *Holland*, and then to *Brussels*, where he met with a cold reception.' However, he had this to comfort him, that the king had given assurance that he never would consent to any thing in prejudice of his right of succession.

Shaftsbury's
speech.

There was at this time a great opposition to the duke of *Lauderdale*, and the administration of affairs in *Scotland*, as very much favouring *popish* designs. The earl of *Shaftsbury* had a very remarkable speech in the house of

of lords, in which, among other things, he said,—— 1679.
‘ Popery and slavery, like two sisters, go hand in hand. In England popery was to bring in slavery, in Scotland slavery was to go before, and popery was to follow. I do not think that your lordships, or the parliament, have jurisdiction there. It is a noble and ancient kingdom; they have an illustrious nobility, a gallant gentry, &c. But yet we cannot think on England as we ought without reflecting on the condition they are in. They are under the same prince, and the influence of the same favourite and counsels, and are hardly dealt with. Can we that are the richer expect better usage? For it is certain, that, in all absolute governments, the poorest countries are most favourably dealt with, when the ancient nobility and gentry cannot enjoy their royalties.——If the council-table there can imprison any nobleman or gentleman for several years, without bringing him to a trial, or giving the least reason for what they do, can we expect the same will ever preserve the liberties of the subjects here?——They have lately plundered the richest and best countries of that kingdom, by having brought down the barbarous Highlanders to devour them, and all this without any colourable pretence; nor can there be found out a reason of state for what they have done, but that their wicked ministers designed to procure a REBELLION at any rate; which, as they managed it, was only prevented by the miraculous hand of God.——My lords, I am forced to speak this the plainer, because, till the pressure be fully and clearly taken off from Scotland, it is not possible for me, or any thinking man, to believe that good is meant us here, &c.’

The house of commons, being justly apprehensive of the danger the nation was in from the increase of *popery*, the encouragement the *papists* secretly received, and, above all, from the duke of York, who, by the asserters of the liberties of *England*, was looked upon as being at the bottom of all the mal-administrations they wanted to get rid of, prepared a bill for excluding the duke from succeeding to the imperial crown of *England*, and bringing in the next *protestant* heir. This bill was twice read in the house, and ordered to be committed by 207 against 128. But his majesty, not relishing these proceedings, prorogued the parliament till the 14th of *August*, by which means the *exclusion-bill* *Bill of exclusion.* *Rapin.*

1679. *bill* was defeated for a time. Thus we see what a brave stand these *English* patriots made at this time for their religion and liberties. They well knew, and the whole nation afterwards found, how inconsistent a *popish* prince over a *protestant* people was for securing either the liberties of the subject, or the *protestant* religion. But it is now time to return to the affairs of *Scotland*.

Mr. Veitch. On the 11th of *March* the council wrote to *Lauderdale* concerning Mr. *Veitch*, to know his majesty's pleasure, especially since, as they declared, he was not found in any crime, and offered to prove that he was in *Edinburgh* at the time of *Pentland*. Mean while they ordered him to the *Bas*.

Major Johnston beat. The same day the council wrote to *Lauderdale*, 'That 18 or 20 armed men, prompted by the bloody principles of their traiterous books, sent for major *Johnston* to the house of one Mrs. *Crawford*, a known and most irregular *fanatick*, and, at his entry, discharged several shots at him, and those he had with him; after which, with drawn swords, they beat, bruised, and threatened to kill him, if he would not swear never to dissipate *conventicles*; which he having refused, according to his duty, they mortally wounded him, and some that were with him.' But, however the matter might have been thus represented to them, yet it was aggravated beyond the truth. The case was, That two or three persons, whom the major bore hard upon for their *non-conformity*, in order to have a little revenge, got some to give him notice of a meeting where they were to be, and, when he went thither, heartily drubbed him, but there was nothing like mortal wounds. However, this was looked upon as a high crime and misdemeanour, and a proclamation was issued for apprehending the guilty, and a handle made to prosecute the innocent; for the same day they made an act, ordering lists to be given in to the magistrates of all the lodgers in *Edinburgh* every night, and that the wives and families of all outed ministers be turned out of the town by the 21st of *March*: Nay, they enacted farther, that all persons who were summoned, shall, in case of not appearing, be reputed guilty, and fined.

Mr. Veitch. On the 18th of *March* Mr. *Veitch* was ordered to be prosecuted before the justiciary on the 24th; at which time he was brought to the bar, and prayed that he might be allowed advocates to plead for him, and that his

his case might be laid before his majesty. The lords, not being willing to pass sentence of death upon a forfeiture in absence 13 years ago, as some would have had them, postponed the matter till the 8th of *April*; and, when they met then, they farther delayed it till *June*, and from that to *July*, when we shall meet with him again. 1679.

Mean while, on the 30th, there was a large meeting at *Cumberhead* near *Lanerk*. A party was sent to disperse it, but, understanding their strength, they contented themselves with rising some women, as they went, of their plaids and bibles, and seizing some men. Upon this a considerable body went from the meeting *in arms*, and demanded the prisoners. The officer refusing to comply a scuffle happened, wherein the commander was wounded, and some taken prisoners, whom they very soon released. This occasioned the adjacent country to be much harrassed for several weeks. *Conventicles near Lanerk.*

In the mean time, on the 2d of *April*, the council, being informed of *conventicles* in *Edinburgh*, resolved to prosecute the landlords of those houses where they were held. Accordingly one *George Turnbull*, a baker, was fined in 300 *l. Scots*, because of three *conventicles* said to be kept in the chamber of *Isabel Crawford* one of his tenants. At the same sederunt *Gordon* of *Craichlaw* younger, and his spouse, *Gordon* of *Colvennan*, *MacGhie* of *Drumbuy*, *Ramsay* of *Boghhouse*, *Stuart* lady *Castlestuart*, *MacGhie* of *Larg*, *Heron* of *Littlepark*, *Dunbar* younger of *Machiemore*, *Archibald Stuart* of *Causeyend*, *Anthony Heron* in *Wigg* and his spouse, *Stuart* of *Tondergie*, *MacGhie* in *Penningham*, *MacMillan* in *Craigwell*, — *Stuart* of *Ravenstoun* and his lady, together with — provost of *Wigtoun*, were summoned for *non-conformity*, and, not appearing, were denounced and put to the horn. And it is observable, that the *episcopal* incumbents sent lists of such persons as these to *Edinburgh*, urging the council to prosecute them, so that great numbers were denounced in absence. These severe proceedings obliged many to wander from place to place, and therefore no wonder though they embraced the first opportunity to relieve themselves from such oppressions. *Landlords and Ladies of Gal-loway denounced.*

The accounts of the scuffle at *Lanerk*, on the 30th last, came to the council on the third of *April*, aggravating the matter to the last degree; upon which they ordered preparations to be made for sending soldiers to those parts, *Proceedings of the council.*

1679. parts. The same day they appointed *William Carmichael*, sheriff-depute of *Fife*, to proceed against the *non-conformists* in *Fife*. His violent oppressions were such, that several were provoked to resolve on cutting him off; but, missing him, they fell upon the archbishop of *St. Andrews*, as we shall hear. At the same time orders were given to the sheriff-deputes of *Fife* and *Kinross* to call before them those who were concerned in rescuing Mr. *Walter Denoon* from a party that was carrying him to *Edinburgh*.

Argyll's
commis-
sion.

Next day a committee was appointed to examine into the affair of the scuffle in *Lanerk*; the earl of *Argyll* had his majesty's thanks for securing the peace of the *Highlands*, and on the 12th a commission was granted to his lordship to use his utmost endeavour to disarm the *papists* there, particularly lord *MacDonald*, *Keppoch*, *MacLean* of *Torlaisb*, *MacLean* of *Ardgoner*, and *MacLean* of *Berlois*, or others suspected of *popery*.

Two sol-
diers kil-
led.

On the 25th the committee appointed to examine into the affair of *Lanerk* met there; upon their strictest inquiry could find nothing but what has been related; only, in their report which was given in to the council, they mentioned the murder of two soldiers near *Newmills*, which was charged unjustly upon the suffering party. The actors were not known, only there was great reason to suspect one *John Scarlet*, a person of a most infamous character. I shall only trouble the reader with the circumstances of this murder. The fact was certain, and the noblemen, heritors and gentlemen of the shire of *Ayr*, where it was committed, met on the 28th, and sent in a letter to the council signifying their abhorrence of it, and their dissatisfaction with *armed conventicles*, and with some of the doctrines preached at them.

State of
field-
meetings.

The reader has seen that it was necessity, and the great law of self-preservation, that obliged people to go *armed* to those meetings, for their better security against the soldiers who were sent to disperse them; and, as they looked upon the *indulgence* as inconsistent with presbyterian principles, and the *cess* as an unlawful tax, imposed with no other design than to suppress the meetings of the Lord's people for publick worship, and persecute those who could not in conscience comply with *prelacy*; so it is not to be wondered though they warned their hearers against complying with these things. How far they may have exceeded I cannot determine. No doubt,

doubt, had they observed the rules of *carnal* prudence, 1679. they would both have desisted from meeting together, or, if they did meet, have been altogether silent as to these things. But what could be expected from men who made conscience of their principles, and on that very account were made to suffer all manner of hardships, than that they would bear *testimony* against every method taken by their persecutors to overturn their civil and religious liberties, and that they would use their utmost to defend themselves? Accordingly, finding that small meetings were more exposed to danger than larger assemblies, they therefore altered their method, and determined to confine themselves to one meeting, and that in such places which they thought stood in most need of the gospel, and where they might assemble and preach with greater safety. It is true many serious and good people, ministers as well as others, did not chuse to take these methods. Mr. *Welsh*, &c. preached in those places where there were but few that came *armed*. And in this situation matters with respect to field-meetings continued from *December* till *May*.

In the beginning of *April* the worthy Mr. *James Wel-* Mr. wood, brother to Mr. *Andrew*, author of a treatise intitled *The glimpse of glory*, died at *Perth*, in the 30th year of his age. The night after he died his corps were removed from *John Barclay's* house into a private room belonging to one *Janet Hutton*, till his friends might consult about his funeral, that *John Barclay* might not come to trouble for concealing him. It was quickly spread abroad that an *intercommuned* preacher was dead in the town; upon which the magistrates ordered a messenger to go and *arrest the corps*, and would not suffer them to be interred at *Perth*, but ordered the town militia to be raised, and imprisoned *John Price*, box-master or treasurer to the gildry, for refusing to give out the militia arms. However, the magistrates allowed his friends to carry the corps out of the town, and bury them where they pleased without their precincts; but any of the town's people who were observed to accompany the funeral were apprehended and committed to prison. At last the corps were with great difficulty interred in the church-yard of *Drone*. This is a lasting evidence of the tyranny of the managers in this period, who would neither suffer the persecuted people to be at peace when alive, nor to be buried when dead.

On

1679.

Linlithgow im-
powered.

On the 1st of *May* the council, being alarmed with the accounts they received concerning the persons who attended the field-meetings in *arms*, gave authority to the earl of *Linlithgow* to order a party of horse, foot and dragoons to pursue messrs. *Welsb*, *Cameron*, *Kid*, or *Douglafs*, and their followers, to seize and apprehend all who attend their *conventicles*, and, in case of resistance, to pursue them to the death. The execution of these orders occasioned the rising that fell out next month, as we shall relate.

Inchdarnie
killed.

On the 3d, while a party of horse was riding furiously to *Cowpar of Fife*, *Andrew Ayton* younger of *Inchdarnie*, going to his aunt's the lady *Murdocairnie*, perceived them, and rode hard to escape. One of them, observing this, broke from the rest by order of the commander, and, without asking any questions, fired at the young gentleman, and mortally wounded him, for two balls went through his body. Such was the cruelty of this party, that, though his relation *Sir John Ayton* sent to *Cowpar* for a surgeon, they ordered, that no surgeon should leave the town without permission; nay, they sent some of their number to bring him that night to *Cowpar*. On the way he fainted four times through the effusion of blood. The magistrates suffered him to be carried to an inn, where he died next morning, and heartily forgave the soldier by whom he was murdered. This pious youth was but 18 years of age, and had for some time been intercommuned. When he went with others to visit *Mr. James Welwood* on his death-bed, and gave him an account of the tyranny and wickedness of *Sharp*, *Mr. Welwood* said, *You'll shortly be quit of him, and he'll get a sudden and sharp off-going, and ye will be the first that will take the good news of his death to heaven; which came literally to pass.*

The arch-
bishop's
death.

For, on this 3d of *May*, *Mr. JAMES SHARP*, archbishop of *St. Andrews*, came to his untimely end. There were several accounts given of this remarkable event. It will be sufficient to my present purpose to lay before the reader the substance of what was published by the authority of the council, taken from the bishop's daughter and his servants who were present, and the substance of those given by the actors concerned, by which means he will have the narrative of both sides. The substance of what was published by authority is as follows.

‘ On

‘ On the 3d of May— this excellent PRELATE,—— 1679. about nine o’clock in the morning, took his coach in *Kennoway*---accompanied only with four of his servants, *The account of it as published by authority.* and his eldest daughter in the coach with him. About half an hour before he was attacked, his *great soul*, it seems, presaging what came to pass, he fell on a most pious and serious discourse to his daughter, giving her such pious instructions and directions as he would have done if upon his death-bed; whereunto she gave such becoming and satisfactory answers, that he embraced and formally blessed her. Afterwards coming near to a farmer’s house called *Magus*, he says, There lives an ill-natured man, *God preserve us, my child.* Within a very little time after, the coachman, perceiving some horsemen on the spur after them, calls to the postilion to drive on, for those men had no good in their minds. My lord finding the coach run so hard, looked out to see what the matter was; and then perceiving armed men pursuing, he, turning to his daughter, said, *Lord have mercy upon me, my poor child, for I am gone.* Upon which presently three or four of the ruffians fired at the coach, but touched neither of them in the coach. The coachman put faster on, and outrun the most part of the rogues (my lord’s own servants, of which the best armed was wounded in the head by a sword, being mounted on weak hackney horses, had fallen behind before this, and were disarmed at the first coming up) while at last one of the best mounted overhighed the postilion, and by wounding him on the face, shooting the coach-horse which he led in the back, and cutting him in the hams, turned the coach out of the way, and gave the rest the advantage to come up. Then they fired again: One of them had his pistol so near my lord, that the burning calving was left on his gown, and was rubbed off by his daughter, which wounded him two or three inches below the right *clavicle*, in betwixt the second and third ribs; and then another of them, on the other side of the coach, run him upon the region of the kidneys with a small sword; thereafter they called, *Come out, cruel and bloody traitor*; but not any offered to lay hands upon or drag him out of his coach, as is falsely reported in the relation, the assassins being all yet on horseback; whereupon, *most composedly*, he opened the door of the coach himself, and stepped out; and then said, *Gentlemen, you will spare my life, and whatever else you are pleased to*

1679. *do you shall never be questioned for it. They told him there was no mercy for a Judas, an enemy and a traitor to the cause of Christ. Well then, said he, I shall expect none from you; but promise to me to spare my poor child, directing his speech to one, whom it is suspected, by looking him broad in the face, he knew; and reaching forth his hand to him, the bloody villian starts back from my lord, and, by a mighty blow, cut him more than half through the wrist. Then said my lord, I hope you will give me some time to pour out my soul to God, and I shall also pray for you; and presently falling on his knees, he said, Lord forgive them, for I do. Lord receive my spirit. While thus praying on his knees, (one of the traitors, standing some paces off, called to the rest, Spare those gray hairs) and his hands lifted up, they struck furiously at him, and wounding him therein in three places, which nevertheless he kept up bleeding to heaven, while one of them cut him to the very bone, a little above the left eye; whereupon my lord said, Now you have done the turn; then falling forward he stretched himself out, and laid his head on his arm, as if he had been to compose himself for sleep, when some of the villains from their horses, and others a-foot (having alighted) gave him about fifteen or sixteen wounds in the head, and, in effect, the whole occipital part was but one wound; after which they rifled his pockets, and took some papers out of them; and so mad was their spite and rage, that even after he was dead, and the murderers gone some way from the body, one of the furious and bloody assassins returned, and thrust twice or thrice at him with a sword. They robbed his daughter of some gold and other things she had in a little box, (they had wounded her, thrusting at her father, betwixt whom and them she had interposed herself, by a stab in her thigh and one of her thumbs) then they took away my lord's night-bag, &c. They also robbed his servants, and took their arms from them; and then went away as they came. — Thus fell that excellent prelate. —*

The reader will now expect the account of this matter from the papers and relations of the actors concerned.

Carmi-
chael's
cruelty.

During the last and current year the persecution was most severe in the county of Fife, and particularly William Carmichael was impowered to seek for and prosecute all non-conformists and intercomuned persons in that shire. Besides his apprehending, fining and imprisoning

ing multitudes, it was his custom to seize servants, and 1679. put fiery matches between their fingers, together with several other methods of torture, in order to force them to discover where their masters were, or any thing belonging to them. He would likewise beat women and children to make them inform against their husbands and parents; not to mention rapes, adulteries, and other instances of abominable wickedness.

As the suffering people had no legal way of redress, several of the wanderers of this shire, being deprived of the protection of the laws of their country, resolved to get rid of *Carmichael*; and for this purpose fixed on *Saturday* the third of *May*, when, as they were informed, he was to be a hunting. Accordingly, about nine of these persons, some of them being gentlemen of good families, upon the day appointed, searched for him through all the country round *Cowpar*, but to no purpose.

While they were talking of separating and quitting their project, they were informed by a boy that the ARCHBISHOP'S coach was at *Ceres*, and in a little would come that way. This much surprised them, that, when they were just parting and giving over their search for the servant, the master should come in the way, even their *arch enemy* and source of all their miseries. Upon which one of them said, *It seems he is delivered into our hands*, and proposed to embrace this opportunity for cutting him off, and that one should have the command of the rest for that purpose. Mr. *Hackstoun* of *Rathillet* being present, this burden was laid on him; but he opposed the motion, and would have no hand in what followed, whether because it was a matter of blood, as to which he was not clear in his own mind, as my author affirms, or if, as others alledge, it was because that he having received personal injuries from the archbishop, it might be thought that he did it in revenge, I cannot certainly say.

By this time they were come to a little village called *Magus*, where they discovered the bishop's coach. One of them, on a swift horse, rode up to see if *Sharp* was in it. The bishop observing him, cried out to the coachman to drive on. The gentleman hearing this threw off his cloke and pursued at full speed, as likewise did the rest, only *Rathillet* kept at a distance, and did not at all engage in the action. While they were thus pursuing in *Magus-muir*, *Wallace*, one of the bishop's

1679. *w* bishop's servants, turned upon them and cocked his piece; but some of them coming up soon dismounted and disarmed him; and, as the coach was driving furiously away, they fired their muskets, but could not stop it, till the person on the swift horse came up to the coach, crying out, *JUDAS, Be taken.* The primate called with the greater violence, *Drive, drive, drive;* but at last they cut the traces of the coach and stopt it.

*The dis-
course that
passed,*

By this time the rest were come up, and found the bishop's daughter with him in the coach, and therefore the captain ordered him to come out, that no harm might come to her, whom they had no intention to hurt. This he refused; whereupon two of them, the rest being engaged in dismounting and securing his servants, fired upon the bishop, while his daughter was shrieking and crying most bitterly. But finding that he was not touched, the captain commanded him to come out; and, while the bishop lingered, and cried for mercy, the commander said, 'I take God to witness, whose cause I desire to own in adhering to the persecuted gospel, that it is not out of any hatred of your person, nor from any prejudice you have done or could have done to me, that I intend now to take your life, but because you have been and still continue to be an avowed opposer of the gospel and kingdom of Christ, and a murderer of his saints, whose blood you have shed like water.' Another said, 'Repent, *Judas*, and come out.' The bishop replied, 'Gentlemen, save my life, and I will save your's.' The first answered, 'I know it is not in your power to save us or to kill us: I again declare, it is not any particular feud or quarrel I have at you, which moves me to this attempt, but because you are an enemy to Christ and his interest, and have wrung your hands in the blood of his saints, not only after *Pentland*, but several times since; and particularly for your perjury and shedding the blood of Mr. *James Mitchel*, and having a hand in the death of *James Learmont*, and your perfidious betraying of the church of *Scotland*. These crimes, added he, and that blood, cry with a loud voice to heaven for vengeance, and we are this day to execute it.' And again he ordered him to come out, and prepare for death, judgment and eternity. The bishop still refused, and cried for mercy, and offered him money. The captain said,

Thy

Thy money perish with thee; and told him he allowed 1679. him time to pray, and commanded him again to come out. The bishop still refused. One of them at a distance cried out, 'Seeing there have been so many lives unjustly taken by him, for which there is not the least sign of repentance, we will not be innocent if any more be taken that way.'

Then one of them fired a pistol at him in the coach, *He came out of the coach.* which did not touch him; and another wounded him with a sword, at which he cried out, *Fy, fy, I am gone*; but the wound was not mortal. At last, when he found they would force him out of the coach, he thought proper to come out. But by no means could they persuade him to pray, which much surprised them. Then they discharged a shower of shot upon him, which made him fall back, so that he lay as dead.

But one of them giving him a prick with his sword, *Is killed.* he raised himself. Then, being apprehensive that shooting would not do, the commander ordered them all to draw their swords, upon which he made the most hideous and terrible shrieks that ever were heard. At last the commander struck him with a shabbe on the face, and one of his chops fell down. He tried to speak, but was not understood. They redoubled their strokes, and killed him outright. But they took nothing with them but arms and papers; and, after dismounting and disarming his servants, they rode away in a body to a place three or four miles from *Magus-muir*, and continued till night, when they separated, and shifted for themselves the best way they could. When they reflected on what they had done, they were much surprised at their own preservation, since the whole was transacted between twelve and one at mid-day.

Thus fell archbishop SHARP. And the reader will *Remarks* observe, that the main difference between the two accounts I have given consists in the bishop's carriage; the former represents him as a saint, and the latter as averse to any thing like preparation for death: But which of the two is most consistent with the carriage and behaviour of this prelate, through the former course of his life, must be left with the reader. This matter is most unjustly charged on the whole body of the *presbyterians*; nay, the actors themselves had no thoughts of making any attempt upon him, till, missing *Carmichael*, his coach came in their way.

It

1679.

It is said that the bishop had several notices that he would come to an untimely end, as his having a remarkable dream to this purpose while at the university. But I shall not trouble the reader with these things. The action was much condemned. It was said, That, let the bishop have been ever so bad, yet the actors had no right to pursue him to death; for none of them had the power of the sword, nor were in any publick judicative capacity, and consequently what they did was murder and assassination. On the other hand, it was said, that, as the archbishop was a murderer and avowed persecutor of God's people, an apostate from, and a betrayer of the cause of Christ, and as it was not possible to have recourse to the magistrate for justice, the constitution of the government being overturned, the actors could not therefore be charged with murder, nor the action be esteemed any other but an *extraordinary execution* of the law of God against such a capital offender; besides, they looked upon themselves as in a state of war, and consequently as having a right to cut off their great enemy, by whom they and others were persecuted to death. An ingenious author has these words in his political discourses. 'CÆSAR had violated every tie that can bind the human soul, *oaths, trust and law*; he had violated every thing dear to human kind, their *peace, liberty, rights and possessions*. He did all this by means the most black and flagitious; by *plots, faction, corruption, robbery, devastation, sacrilege and slaughter*. What was left to the oppressed Romans to do under the bonds of the oppressor with his sword at their throat? Law and appeals were no more; a tyrant was their master, the will of a tyrant their law. — In short, there was no other way of abolishing his tyranny, but by *dispatching the tyrant*.' How applicable this is to the present case must be left with the reader; only it is obvious, that, whether the actors were right or wrong, he met with the just reward of his deeds, and God was righteous in the providence. By his death new designs of cruelty were prevented; for the last thing he did was his voting for and pushing a violent proclamation we shall hear of, dated the 1st of May; on the 6th he was to have gone to court to use his utmost for more cruel and rigorous methods of oppression against the sufferers: But my author justly remarks, that *Saul*, when breathing out cruelty against the

Gordon
on Tacitus,
vol. i.
p. 76.

the *Christians*, was converted; yet this apostate, tho' 1679
when doing the like, went to his own place.

It likeways deserves a remark, that, after the most diligent and exact search, none were ever apprehended that were actually concerned. They who were executed on this account, on *Magus-muir*, afterwards, were noways accessory. Mr. *Hackstoun* of *Rathillet* was indeed present, and afterwards taken and put to death; but we have heard how he behaved. One *Andrew Guilan* was likeways present, and afterwards executed; but all the hand he had was, that, living near the place, he was taken out of his house, held their horses, and was a witness of what was done. None of the real actors apprehended.

Though this violent death of the archbishop was made by a few private persons, and by them too without any *premeditated* design, till they had information of his coach's coming that way, yet, as has been observed, it was unjustly laid to the charge of the whole body of the *presbyterians*, and particularly represented as one of the dismal effects of *field-meetings*, these *rendezvous* of rebellion, as they were called. But, had they put the saddle on the right horse, if the archbishop's death was murder, they should have looked upon themselves as the murderers, in supporting that perfidious prelate in those arbitrary measures, whereby the spirits of the people were justly exasperated, and they constrained, in their own necessary defence, to do what they did. However, the managers never thought of those things, but made use of this as a handle for farther unheard-of severities. Who killed the bishop.

Accordingly, when the news of this affair reached *Edinburgh*, the council met on *Sabbath* the 4th of *May*, and, after taking the depositions of the bishop's servants, they published a long proclamation for discovering and apprehending the persons concerned in this action; in which, after having displayed all their rhetoric in exposing the cruelty of the fact, they, among other things, ordered all persons in the shire of *Fife*, upon certain days, to meet at certain places mentioned in the proclamation, in order to be confronted by the witnesses; and secured all who were under letters of horning, or intercommuned, from all danger of being apprehended for the space of 48 hours before and after the times appointed for their appearance; at the same time certifying, That whoever should not appear, should Proclamation for apprehending the killers.

1679. should be reputed either guilty or accessory. They likewise offered an indemnity to any of the assassins who should discover their accomplices, and a reward of 10,000 merks to any who should inform who the assassins were, to be paid upon their being apprehended or convicted. At the same time they wrote to the king and *Lauderdale* giving an account of these things. I shall make no remarks here, since all this is nothing but what might have been expected: But one would think they took a very improper method. For can any imagine that any concerned in this fact would ever appear at any of those meetings appointed in the proclamation?

Mr. Hamilton's sufferings. On the same day about 30 persons were hearing Mr. *William Hamilton* at the house of Mrs. *Durham* his relation. They were all seized, and immediately committed to prison, where some continued a longer, and others a shorter time. Mrs. *Durham* and Mrs. *Carstairs* were released after a few days; but the managers were most cruel to the preacher; for, though he was seized with a flux, and presented a petition attested by two physicians, that his life was in hazard, praying that he might, for a little, have the benefit of the air, and offered any bail that could be desired, yet they rejected the petition, and assured his friends they would prosecute him for *house-conventicles* next council-day; but before that time he died in prison, and saved them the trouble. This excellent pious youth was brother to the laird of *Halraig*, was no *intercommuned* person, nor was any thing ever laid to his charge, unless his preaching once in a relation's house to a few friends after publick worship was over. For this conventicle the magistrates of *Edinburgh* were fined according to the laws of this period.

J. Archer's sufferings. Besides this instance of severity to a person who could have no accession to the bishop's death, vast numbers were exceedingly harrassed in *Fife* and other places, particularly *John Archer*, tallow-chandler in *Stramiglo*, who had suffered much in his person and family since 1674. He was, soon after the bishop's death, apprehended in his own house and sent prisoner to *Edinburgh*, without any reason assigned; neither could he think of the cause, till he was brought before the council, and charged with being accessory to the bishop's death. But though he cleared himself by many unex-

unexceptionable witnesses, who declared that he was 1679. in *Edinburgh* for several days before and after that fact, yet it was with great difficulty he was set at liberty about the end of the year.

Mean while, on the 8th of *May*, the council emitted a proclamation, discharging all subjects to travel in arms without a licence, except noblemen, landed gentlemen, and their children and servants travelling with them. They likewise wrote to *Lauderdale*, giving him an account of their proceedings and diligence in apprehending those that were concerned in the death of the primate. They also ordered the earl of *Linlithgow* to dispose his forces in the best manner he could for suppressing conventicles, and made *Adam Urquhart* of *Meldrum*, for his diligence in their service, a justice of peace in the shire of *Roxburgh*, to act in conjunction with *Henry Kerr* of *Graden*; and afterwards he was made one in *Teviotdale*, the *Merse* and *Selkirk*.

While these things were a-doing, the committee for publick affairs had impowered the sheriff-depute of *Fife* to secure and make an inventory of the goods of *John Balfour* of *Kinloch*, *Hackstoun* of *Rathillet*, and the three *Balfours* of *Gilstoun*, as being most suspected of the affair of the archbishop, till they be apprehended and brought to a trial. They had also called before them ten persons apprehended by *Meldrum*; two of whom, viz. *Robert Neilson* and *Nichol Story*, they remitted to the advocate, because of the discoveries they were supposed to make of Mr. *Welsh*. They found that the bail for Mr. *Alex. Gordon* had forfeited their bond by not producing him, and therefore had incurred the penalty of 5000 merks; that Mr. *And. Kennedy* of *Clowburn* be reputed guilty, and fined in 1000 merks, for refusing to swear, (which was accordingly inflicted in a few days after) that Mr. *John Law* be dismissed, *Bennet* of *Chesters* be continued in prison, and *Scot* of *Pitlochrie* be summoned to appear the next council-day. The council approved of all this on the said 8th of *May*.

On the 13th the council met, and received the king's Proclamation letter, approving the draught of a proclamation against field-conventicles, which they ordered to be published. By this proclamation, all judges and officers of the army were ordered to proceed against all who go to field-meetings with arms, as traytors, nay, and to execute the laws against those who go to field-meetings

1679. without arms; adding, 'We being fully convinced, by reason and experience, that those meetings do certainly tend to the ruin and reproach of the christian religion and discipline, to the introduction of popery and heresy, the subversion of monarchy, and the contempt of all laws and government.' So that, by this proclamation, the officers of the army were, in a manner, either vested with the authority of judges, or else had power to harass or destroy the poor suffering people; which, in process of time, they actually did.

Sharp's
legacy.

The draught of this proclamation was made on the first of this month, and very much pushed forward by Sharp, and was the last publick deed in which he was concerned, though not published till after his death, for the council would not enact it till they had first got the king's approbation. However, this was the primate's legacy, and a specimen of what he would have done had he gone up to court. Can any then be surpris'd, when such sanguinary laws were made, that the people, distressed by such a series of oppressions, should think of concerting measures to rescue themselves from the bondage of their oppressors? It is rather surpris'ing that they bore those things so long.

Scot of
Pitlochie,
&c.

On the 14th Mr. George Scot of Pitlochie was fined in 3000 merks for conventicles, and Mr. Patrick Simpson was turned out of Kilmacolm, where he had been indulged, for breach of confinement and keeping of conventicles; but afterwards he received a little more favour. At the same time the council had a letter from the king, declaring that he will resent the bishop's death, and recommending to them to go on in their search for those concerned in it; to which they sent a very respectful answer.

J. Spreul,
&c.

On the 15th Mr. John Spreul writer in Glasgow, who had been some time in prison, and Mr. Robert Wylie, were both set at liberty upon giving bond to appear when called; and the same day the council approved the overture, obliging heritors either to produce their tenants, or be liable for their delinquency.

Papists overlooked.

On the 27th the council wrote to his majesty, signifying that the earl of Argyll had desired assistance against the lord MacDonald and the rebel papists: But, considering the great increase of field-conventicles, they could not spare any of the standing forces; however, they

they had issued a proclamation against them; and ordered the sheriffs of *Dumbarton* and *Bute* to join the earl. May not the reader here see, that our *Scots episcopals* were more zealous in persecuting protestant non-conformists, than in suppressing popery? 1679.

The same day the council approved the following report made to them from their committee for publick affairs, viz. their ordering farther search to be made for those who had killed the *primate*, and that witnesses should be brought against *Henry Schaw* an intercommuned person; that they had dismissed upon bond the prisoners taken by *Meldrum*, except *Neilsen* and *Story*; that they had ordered the ladies *Torwoodlie*, *Gallashiels* and *Newton* younger, the laird and lady *Asbieisiel*, the lady *Fernylie*, *Mrs. Pringle* and her daughter, with several other persons of meaner rank, who had been surprised at a conventicle by *Claverhouse*, to be summoned before the council; that they remitted *Mr. Thomas Wilkie*, the minister taken at that conventicle, and *Mr. Francis Irvine*, an intercommuned minister, to the council, by whom they were ordered to the *Bass*; and that they had ordered *Mr. James Daes* to pay his fine by the second *Tuesday* of *June*, and to re-enter the prison on that day. But before that time they had other business on their hands.

Thus I have finished the first part of this work. And, though it opens a black and dismal scene, yet the next part will give us a more horrible representation; for the persecution not only continued, but still grew more and more severe. It is our happiness we do not live in such times of slavery and oppression; but it is greatly to our reproach that we so wretchedly improve our invaluable privileges.

THE END of the FIRST VOLUME.

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